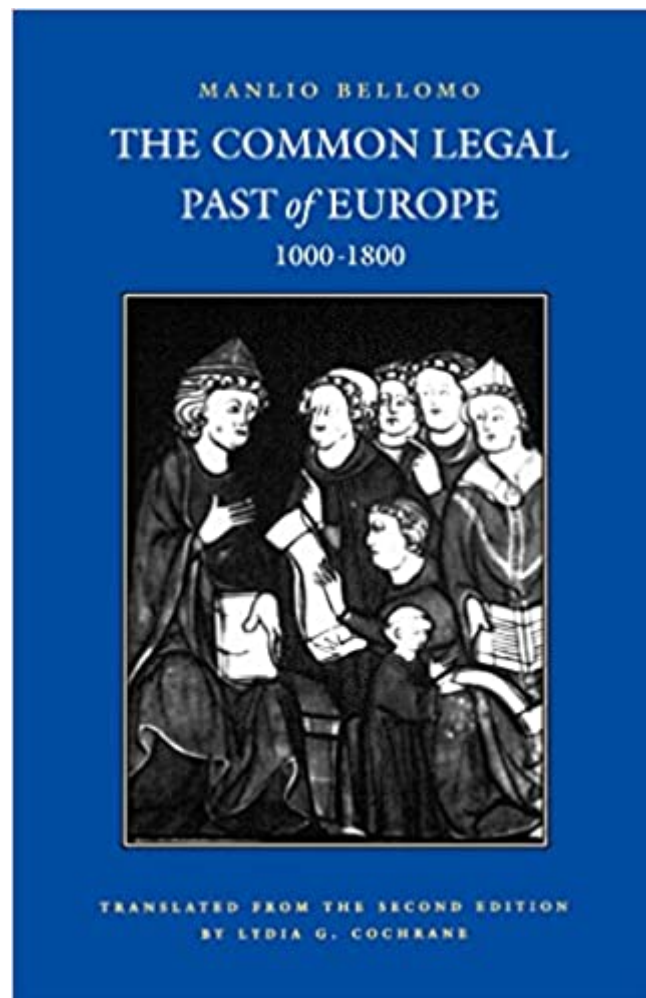




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The Common Legal Past Of Europe, 1000-1800 (Studies In Medieval And Early Modern Canon Law)



Synopsis

With a vigor and passion rarely found in a scholarly text, Manlio Bellomo has written a broad history of the western European legal tradition. It is now made available to an English-speaking audience in an elegant and lucid translation from the original Italian. From the modern age the author looks back to a time when Europe had a common law that transcended national and legal boundaries. This common law, which Bellomo calls the *ius commune*, developed in the twelfth century from the fusion of Roman, canon, and feudal law. Existing within the framework of the *ius commune* were the local laws or *iura propria*—the myriad laws of everyday life, the laws particular to the various kingdoms, principalities, cities, guilds, and secular and ecclesiastical corporations. Bellomo illustrates how for centuries the *ius commune* permeated every aspect of the *iura propria*, marking European law indelibly with its stamp. Because the *iura propria* emerged from the unifying norms and principles of the *ius commune*, one cannot properly understand local European systems of law without first understanding the *ius commune* and its influence on the legal concepts, institutions, procedures, documents, and doctrines of the *iura propria*.

Book Information

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Customer Reviews

Text: English (translation) Original Language: Italian --This text refers to an out of print or unavailable edition of this title.

This scholarly text covers the broad history of the western European legal tradition. Bellomo discusses such topics as how local laws emerged from the unifying norms and principles of the commune. He also discusses such great jurists as Gratian, Accursius, Cino, and Bartolus.

Translated from the original Italian, the book takes the reader from Justinian through the beginnings of the French revolution. A scholarly work and a relatively dense read, the book is not what I would describe as a page turner. Having said that, the coverage is excellent for the topic, and my biggest wish would be additional footnotes to translate the Latin, French and Italian phrases that pepper the narrative. The Roman law based *ius commune* is the thread through the book, and the movement away from the Roman common law into a much more codified set of laws, which the author lamented. A good read.

Manlio Bellomo's book, *The Common Legal Past of Europe, 1000-1800*, is a valuable work of historical scholarship. The author's exploration of law and its codification in European society gives the reader an appreciation of how central justice and legal learning and organization were in European society since the Middle Ages. The book's approach provokes one to consider the common traditions connected to learning, law and justice that many Europeans shared, regardless of ethnic or national boundaries.

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