



CULTURE TALK

Civil Law



What is Civil Law?

CODIFIED LAW

reliant upon a codified and written law system, which is derived from the Roman legal system.

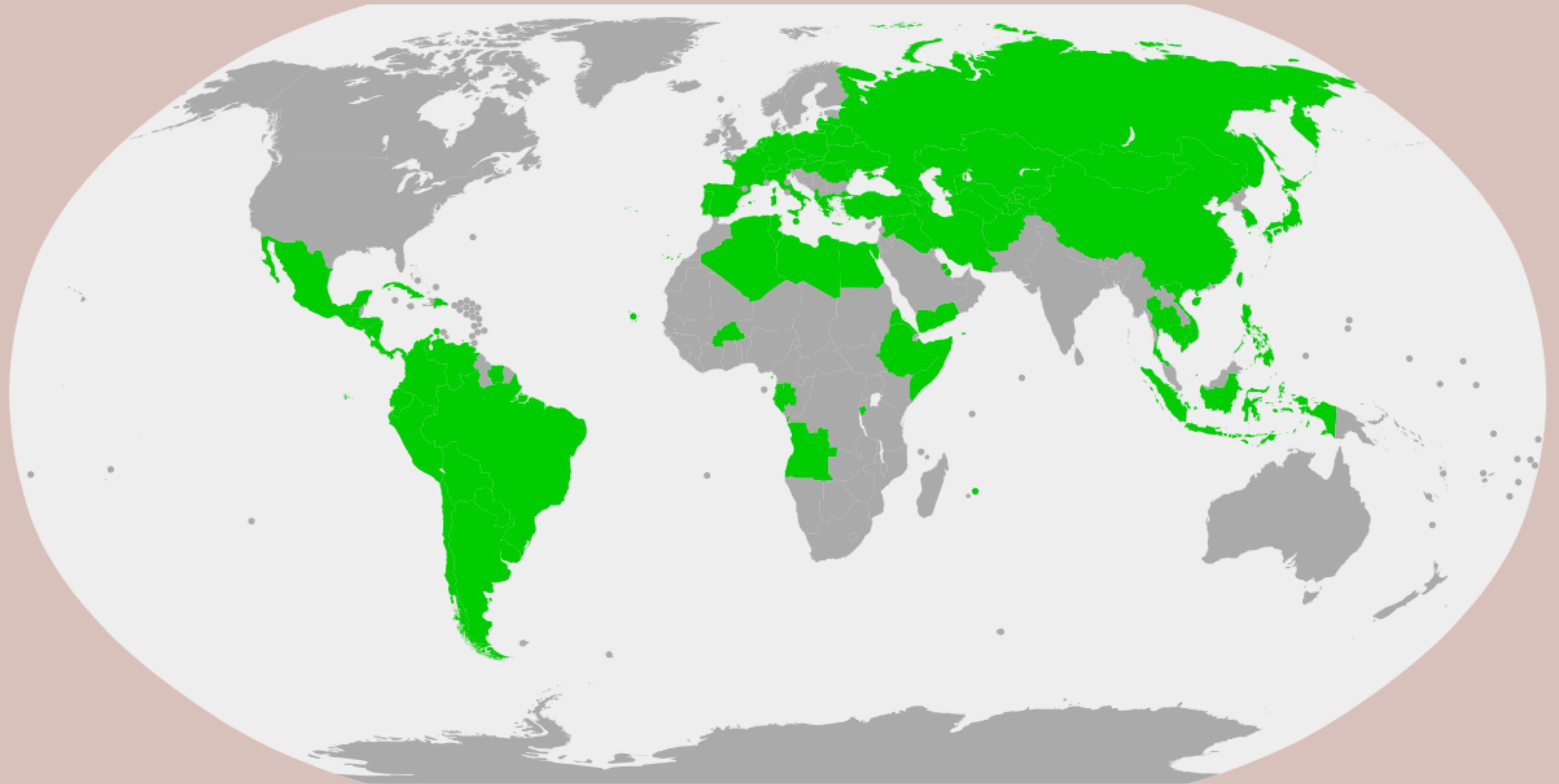
NO PRECEDENT

civil law does not rely on precedent since it is based on looking at written statute, which are modified and changed throughout time.

PRESENT IN 60% OF THE COUNTRIES

Several European countries began to codify their law, such as Austria, Denmark, and France , and eventually spread to their colonies abroad. It also spread to other places around the world due to colonization, like Mexico and Brazil.

CIVIL LAW



From Wikipedia

History of Civil Law



1750S BC: CODE OF HAMMURABI

the Code of Hammurabi was one of the earliest laws from ancient Mesopotamia that set the precedent for what is acceptable and not acceptable as well as the punishments that a person commits.

600 CE: ROMANS

It first originated during the Roman Empire in 600 CE with the establishment of the Roman law, which later influenced the creation of the Justinian Codes. These codes were established during the Byzantine empire, and the codes consist of past rulings and laws, such as family life and procedural law.

SPREAD IN EUROPE

civil law helped influence canon law, which are laws that govern the church. Civil law was crucial in defining feudal society. Several European countries began to codify their law, such as Austria, Denmark, and France to protect natural rights of its citizens.

Key Features of the Civil Legal System

LITTLE TO NO PRESENCE OF JURY

There is also rarely a presence of a jury to make the case because the judge takes on more of an active role in investigating and deciding the outcome of the case.

COURTS USE CODES TO MAKE DECISION

Court opinions are a lot shorter in civil law systems because it is not applying the law to create precedent.

JUDGES VERSUS LAWYERS

judges and lawyers are separate in contrast to common law in which experienced lawyers are chosen to be judges.