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**THE CODE NAPOLEON AND THE COMMON-LAW WORLD.  
Schwartz, B. (ed.). New York University Press, New York, (1956).**

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Papers delivered at the celebration of the 150th anniversary of the enactment of the French Civil Code sponsored by the Institute of Comparative Law, New York University, are now available in book form. According to the preface the collection is intended to aid in the understanding of the "first great modern Code and the experience with it in practice" and the "lessons for our system" to be derived therefrom.

Contributions published in this collection can be divided into those discussing general problems underlying the Code, and those concerned with particular subjects. The first group of contributions is mainly represented by the following papers: the ideological and philosophical background of the Code (Friedrich), the grand outlines of the Code (Tunc), case law and the Code (Sereni), and techniques of interpretation (Elliott). One paper also gives an outline of how the Code and its ideas spread throughout the world (Limpens).<sup>1</sup> Among particular topics, the following are discussed: contracts (Mehren), family law (Rheinstein), property (Lewy), unfair competition (Derenberg) and public law (Schwartz). Several papers deal with topics not specifically related to the Code, namely: on codification in Anglo-American law (Pound) and the one on the Code and common law in Louisiana (Tucker). Two short contributions deal with interrelations between civil and common law (Rindert and Vanderbilt). A valuable bibliography of works in English concerning the Code and problems of codification in general (Marke) concludes the volume.

Two contributions appear to be outside of the scope of the publication. One is entitled "The Code in a Socialistic State," wherein any contact with the Code is denied (p. 224).<sup>2</sup> The other is an interesting report on the "Codification in a new State" (Israel); however, it contains no reference to the Code at all.

In reviewing a publication of this type, it is easy to point out that, taken as a whole, the collection has failed to bring out some of the characteristics which seem to be of paramount importance in connection with the subjects discussed; for example, the idea of contract as opposed

1. The Code is also in force in the Dominican Republic. An interesting side light could be added by noticing the 1812 draft for the Russian civil code (Speransky) which was considered to be too Western. In the words of Karamsin in his "About the Old Russia and the New," the draft was ". . . a translation of the Code Napoleon. What a surprise for the Russians . . ." On the contrary, one century later, the draft for a new civil code (1907) followed closely the French Code.

2. Among studies concerning the impact of the French Code on the pre-communist Yugoslav law, see Peritch, *The French Code of 1804 . . .*, in *THE PROGRESS OF CONTINENTAL LAW IN THE 19TH CENTURY* 271 (1918); also his *L'Evolution du Droit Civil en Serbie depuis 1869 jusqu'à nos jours*, in *2 LES TRANSFORMATIONS DU DROIT DANS LES PRINCIPAUX PAYS . . .* 305, at 311 (1923).

to that of status in public as well as in private law (Art. 1134 of the Code); or the fact that the size of some of the contributions is not balanced with reference to the entire collection, or against the importance of the topic; that broad problems (*e.g.*, civil v. common law) have been taken up but the discussion kept to a minimum. However, such difficulties are inherent in publications of this kind. Here, they are by far outweighed by the excellent contributions representing the core of the symposium. They make "The Code Napoleon and the Common-Law World" a memorable document of the awakening interest in comparative legal studies.

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