

Lecture Eight : Private Law

Academic Year: 2023-2024

Translate the following passages

“...Legal science differs from the natural sciences: the laws of nature are the same everywhere. The difference is evident in the relationship between language and its object. The language of a natural science cannot change reality: if a plant is described wrongly or inaccurately, it remains as it was none the less. But if the legislator, in a new law, describes a legal phenomenon otherwise than in an earlier law, then the legal reality changes: law only exists in human language” (Brækhus 1956)

Civil & Common Law

- Civil-law system developed in medieval universities on the basis of Roman law; its divisions and concepts formulated first on the basis of substantive law founded on a number of abstract principles
- Common law: formed in the courts of England following the Norman Conquest; the conceptual apparatus – defined by the requirements of medieval judicial procedure

Glossary

Term – a verbal expression of a concept

Legal terms – often characterized by polysemy: depending on context, a single term can express several concepts

Polysemy - “allows the vocabulary of the language to transmit the infinitely varied ideas that arise in social life” (Vlasenko 1997)