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Harmonisation of Family Law in Europe: A Historical Perspective: A tale of two millennia (European Family Law)

Masha Antokolskaia

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#14870530 in Books 2006-11-27Original language:EnglishPDF # 1 9.40 x 1.30 x 6.40l, 2.10 #File Name: 9050955762566 pages | File size: 59.Mb

Masha Antokolskaia : Harmonisation of Family Law in Europe: A Historical Perspective: A tale of two millennia (European Family Law) before purchasing it in order to gage whether or not it would be worth my time, and all praised Harmonisation of Family Law in Europe: A Historical Perspective: A tale of two millennia (European Family Law):

This book provides an overview of the developments in family law in Europe during the last two millennia. It aims to examine the so-called 'cultural constraints argument', which suggests that family law is unsuitable for harmonisation because the family laws of the European countries are deeply imbedded in their unique national cultures and history. It follows the path of the greatest-ever harmonisation event in European legal history: the creation of the medieval canon family law, and shows how, under the impact of pan-European economic, cultural and ideological trends, medieval uniformity turned into present-day diversity. Everywhere in Europe the evolution of family law generally followed the same pattern - from a traditional restrictive family law, built upon communitarian, transpersonal premises, to a more permissive family law, based upon modern personalistic ideology - yet national differences seem not to be disappearing. It appears, however, that this has little to do with the embedment of family law in unique national

cultures and history. It is the differences in the balance of political power between the proponents and the opponents of the ongoing modernisation of family law that make the various countries respond to the pan-European challenges in dissimilar ways.