Worksheet 2

Roman law and Canon law in the late Middle Ages-12th -15th century AD (Unit 5)

Henry Badenhorst

- 1. Name and Discuss the reasons for the revival of Roman law, which had the potential to fulfil the demands of the western European society (8) (see p. 81 & 82)
- 2. Why was the work done by the glossators of importance for legal development during the 12th century? (5) (see p. 87)
- 3. Name the 3 main groups of medieval jurists who studied Roman law and were responsible for the revival of Roman law (3) (see p. 82-93)
- 4. Explain what is meant by the European Ius Commune and why it is so important. (5) (see p. 96 & 100)
- 5. Compare the Glossators, Ultramontani and the commentators by completing the following table: (20) (see p. 94-95)

	Glossators	Ultramontani	Commentators
Where were they situated			
Important jurists			
Technique by which they studied the Corpus luris Civilis			



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Did they attempt to Incorporate Roman law into contemporary practice?		
Criticism of their work		
Period in which they worked		

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The reception of Canon law into secular law		

- 6. Why was the work done by the *Ultramontani* of importance for legal development in the 13th century? (5) (see p. 89)
- 7. Is it possible to speak of an "African ius commune"? (3) (see p. 101)
- 8. Write a paragraph on Roman law as an enduring element in European law (5) (see p. 101)
- 9. Discuss the importance of canon law in the development of the South African legal system. (2)
- 10. Explain the relevance of the European ius commune for a South African jurist. (2)

