



The Principles of German Civil Law, Vol. 3 (Classic Reprint)

Ernest Joseph Schuster

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This book is intended (1) to assist the study of English law from a comparative point of view ;(2) to give an insight into the latest and most perfect attempt to systematize the whole of the private law of a country; (3) to give some practical help to the increasing number of practitioners who in the course of their daily work have to deal with questions of foreign and private international law. The following few words of explanation on each of these three points will, I hope, further elucidate my aims and objects. 1. The time-honoured sarcasm about the jurist who knows every system of law except his own is not quite without justification. There are no doubt in every country some men who, partly by desultory reading and partly on hearsay, have acquired some vague notions about foreign law, and who have studied their own law by the same methods and with the same results. Such men have as little in common with the true representatives of the science of comparative law as the silver-tongued orators who discourse on Plato to fashionable audiences have in common with the genuine students of philosophy. But they have in this country more than elsewhere succeeded in creating an amount of prejudice on the subject which it is difficult to remove, notwithstanding the fact that some of the most eminent writers on English law and some of the most successful practical lawyers are known to have a deep and comprehensive knowledge of Roman law or of modern continental law or of both. There are, however, many indications of the fact that the narrow conceptions about the objects and methods of legal education which have to a certain extent helped to maintain the prejudice referred to above are gradually disappearing.

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