

Mathias Schmoeckel

Das Recht der Reformation in Frankreich und die Vollendung des modernen Staates

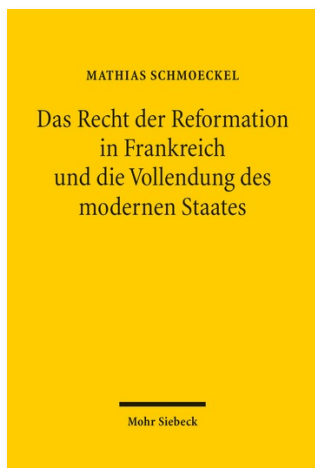
[Reformation Law in France and the Completion of the Modern State.]

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Little is known about the effect of the Protestant Reformation in France on jurisprudence and the French legal order. The concept of the separation of powers has been attributed to Montesquieu and not Claude de Seyssel, who advocated this for the first time around 1515 in order to make the church in France independent of Rome. The discussion concerning the constitution and fundamental rights began with Jean Calvin and the shock after the St. Bartholomew's Day massacre and not in the 18th century. Mathias Schmoeckel shows that the »golden age« of French jurisprudence developed and was inspired by Farel and Calvin in the context of the »Reformation of life« in order to create equal rights for Catholics and Protestants. As a result, all branches of the law were called upon to develop something new. In this respect, the French Reformation has the same significance for European intellectual history and the development of the state as the German and English Reformation.

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