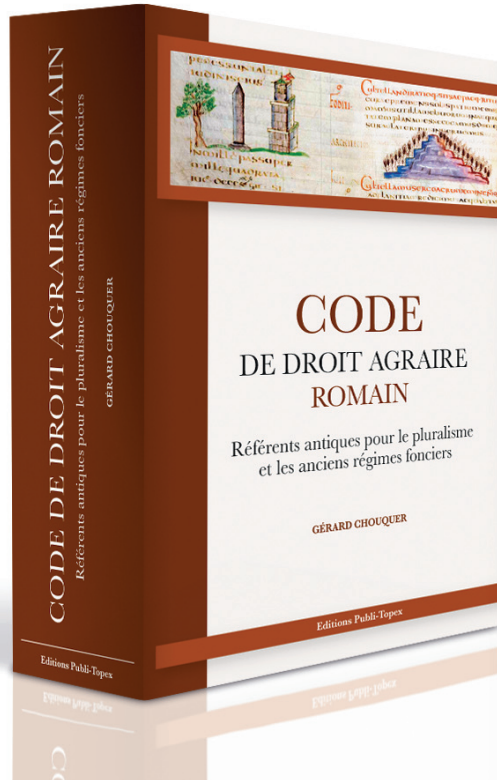


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Publi-Topex is pleased to announce the upcoming publication of the book:



CODE DE DROIT AGRAIRE ROMAIN

Référénts antiques pour le pluralisme
et les anciens régimes fonciers (*)

BY **GÉRARD CHOUQUER**

Preface by Luigi Capogrossi Colognesi

Professor of Roman Law – Member of the National Academy of Lincei (Rome)

Postface by Hubert Bosse-Platière and Benjamin Travely

French Association of Rural Law

(*) Code of Roman Agrarian Law – Ancient references for pluralism and ancient land tenure

During the Roman colonisation, the *agrimensores* developed a law of “conditions” and “agrarian controversies” that formed an original legal and cadastral corpus, parallel to the civil community law of the Romans and to Latin law. This “agrarian” law combines personal and territorial statutes, and its own categories – the “agrarian conditions” – to organise the conquest. With the agrarian controversies, this law divided the cases between ordinary law and agrarian law.

For a long time, jurists were unable to deal with this set of laws because it seemed impossible to treat them independently. Luigi Capogrossi Colognesi points out that the best jurists of the nineteenth and twentieth centuries, from Mommsen onwards, failed in this attempt because they sought to compare it with Roman law, whereas it is something else. On the other hand, by separating public and private, they could not conceive of the existence and specificity of other legal regimes, such as the one called “public and private”. Other bases were therefore needed, those of legal pluralism and the polyterritoriality of rights.

With this Code, the author restores in 1329 articles all the breadth of this subject. In contrast to a dogmatic code that should be interpreted through hermeneutics, it is a pragmatic code of situations and solutions that the *agrimensores* experienced and implemented in the field, based on an anthropological approach that occupies the whole of the first book: that of a pluralist law, of superimpositions and intersecurities between rights, changing over time. It thus offers a face of Rome closer to the ancient heterogeneous regimes than to a modern isotropic state.

Chouquer has succeeded where Mommsen, Rudorff, Biagi and Beaudouin suffered an “irretrievable defeat” (LCC), because they were looking for the coherence of rights, where there is only pluralism.

THE AUTHOR

G rard Chouquer is a historian who has been working for 45 years on colonisation, centuriations and Roman surveying. However, he also nourishes his reflections on the ancient world with other works on land history, property rights, the different ways of organising land in the colonies, and land grabbing, from Antiquity to the present day. He is the author of *Terres porteuses* (2012), the first French academic synthesis on contemporary land grabbing.

A member of the French Academy of Agriculture, he analyses contemporary land issues, writes a manual of agrarian morphology, and studies the forms of portage.

He has published some forty books, most of which are available on the Publi-Topex server, and more than 600 various contributions in some fifty French and international journals and on various portals.



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