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Abstract:

The subject matter addressed in the article concerns the life and the work of Karl Anton von Martini, outstanding lawyer and philosopher of law – professor of Roman and natural law – and also reformer and statesman. His most important work, the crowning achievement of a long and successful career, is most certainly Bürgerliches Gesetzbuch für Westgalizien, the first comprehensive codification of private law in Europe. The legal solutions contained in the West Galician code served as the basis for the 1811 publication of the ABGB. The article demonstrates that, for Martini, codification based on the law of nature was a sine qua non condition for the proper functioning of the monarchy. It was his hope that this would help in merging a multinational empire into one uniform organism, whose residents will be the subjects of regulations with their source in a higher, pre-legal order, equal for all people. This, in turn, was supposed to strengthen the state in the international arena.