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Abstract:

The article describes the life and work of Robert Joseph Pothier, who lives in the consciousness of the French as "the father of the Civil Code." This article is intended to present the impact of the work of Pothier on the Napoleonic Code, French jurisprudence and civil law outside of France.

Through in-depth and long-term study of Roman law and customary law, Pothier had acquired unusually extensive theoretical knowledge that complemented his practice. His life revolved around the interpretation of the law, and he could boast sizable achievements in this area. Pothier, acting under the influence of several intellectual trends of his time, especially the natural law school, was able to reorganize the Digest of Justinian and the Customs of Orleans as well as to spend many years of quiet, prudent and humble work composing numerous treatises. Fortunately, he lived long enough and worked so assiduously that he was able to describe the whole of private law. When the time came for the unification of civil law in France, his works were the source from which the members of the codification commission took their formulations, especially in the field of contract law. However, it seems that the work of Pothier was more suited to interpreting individual legal regulations rather than resolving legislative disputes, as there is not extensive ideological discourse in his work. The works of Pothier embody the ideal of the desire to serve society by clear and unbiased interpretation of the law.