

## Comparative Law in Mittermaier's "*Kritische Zeitschrift für Rechtswissenschaft und Gesetzgebung des Auslandes*" (1829-1856)

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### Abstract

This article investigated the legal journal "*kritische Zeitschrift für ausländische Rechtswissenschaft und Gesetzgebung*" founded by Mittermaier. The author explicated firstly the historical backgrounds for disciplinary periodicals. He pointed out that this medium had close relationship with the differentiation of academic professions resulting from the Enlightenment. Professional journals effectively facilitated the circulation of informations, formed a group of discourse between editors and readers, and documented the dynamic development of a certain profession. They were the embodiment of "*Geist in der Zeit*" in terms of Hegelian philosophy. The author further explicated the academic inclination of Mittermaier, the overall style of the "*Kritische Zeitschrift*" and its contributions to studies in comparative law. With a pragmatic orientation in his researches, Mittermaier was aware of the fact that European and American lawyers often had deficient knowledge of foreign legal developments. He believed that the horizon of German legal science should be broadened. With his academic engagement, Mittermaier provided a huge amount of articles for the "*Kritische Zeitschrift*" during its publication period, which lasted for 28 years. He established a network of informations among editors and thereby enhanced the exchange of legal

informations between European and American countries. The chief goal of “*Kritische Zeitschrift*” was to realize the idea of the community of European legal science in order to increase its vitality. To be more concrete, studies in comparative law can promote efficiency of legislation of individual countries. As far as the research method is concerned, this journal claimed that the method of comparative natural science should be borrowed as a model. With this method the unity of European legal science can be achieved, but at the same time regional characteristics of individual countries can be maintained on the level of legislation and positive law.

Keywords: legal journals, comparative law, legislation, European legal science, German legal science