

<http://montesquieu.ens-lyon.fr/spip.php?article3073>



# XXVIII.8 A false capitulary

- The Spirit of Law - Book XXVIII. On the origin and transformations of the civil laws among the French -

Publication date: vendredi 7 septembre 2018

---

Copyright © Montesquieu - Tous droits réservés

---

## XXVIII.8 A false capitulary

---

Did that miserable compiler Benedictus Levita not go transform that Visigoth law that forbade the use of Roman law into a capitulary which has since been attributed to Charlemagne ? [\[1\]](#) He made of this particular law a general law as if he meant to exterminate Roman law throughout the globe.

---

[\[1\]](#) Capitularies, book VI, ch. cclxix for year 1613, Baluze ed., p. 1021.