**Main features of the Greek Civil Law**

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The Greek civil law is mainly included in the Greek Civil Code (GCC).

In parallel to the GCC, a body of laws pertaining to the civil law has also been enacted :

1. Some of them introduce new forms of modern contracts such as franchising, leasing, forfaiting, factoring etc. and
2. Some others incorporate European Union Directives

**Main characteristics of the Greek Civil Code**

1. **Right of Personality**

After the Swiss Civil Code, the GCC was the first continental civil code to recognize a comprehensive right of personality of natural persons.

* Broad definition of personality allows its protection from any offence that could not be specifically provided by law
* Examples from the jurisdiction (cessation of the running of factories, because they polluted the atmospheric air and the sea, or cessation of cultivation of rice in a region of rare ecosystems
* General action for the protection of one’s personality against any “unlawful” offence.

1. **Private autonomy** →

Freedom of contracts, freedom of constituting unions and associations, the principle of pacta sunt servanda etc.

1. **Social orientation of AK**

Need to protect socially weaker people from the exploitation of more powerful. Solution → mandatory rules: rules e.g. on prohibition of the abuse of a right,on the nullity of contracts contrary to good morals (such as contracts whereby a party exploits the need, mental levityor inexperience of the other party), on good faith. Example: In case of an unforeseen change in circumstances which renders performance excessively difficult the court may decide upon restoration of the distorted equilibrium between performance and counter performance or to bring the contract to an end (GCC 388).

1. **Regulation of family law** **according to the principle of equity between the two sexes**

Greek Family Law was influenced by Greek tradition and the attitude of the Orthodox Church, which for example opposed to the introduction of civil marriage. Until 1983, the law prescribed different roles for each spouse and considered the husband as the head and main supporter of the family. NOW:

* Introduction of civil marriage
* Abolishment of dowry
* Common decision on every matter arising in the common life
* Parental care instead of paternal authority
* Medically assisted human reproduction (artificial insemination),
* Post-mortem fertilization permitted under strict presuppositions
* Surrogate motherhood a woman, after a judicial allowance, may be pregnant with the child of another woman, if the latter is medically incapable to gestate

**Conclusions**

GCC presents imperfections. For example it does not regulate performance not duly fulfilled, as BGB does after its modernization, neither it regulates permanent contracts. It also includes some provisions of doubtful usefulness e.g. provisions on flock of bees. Nevertheless GCC has faced successfully –with the help of jurisdiction and theoretical ideas- problems that have arisen during its over 70 years application.

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