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0521790212 - The Enforceability of Promises in European Contract Law

Edited by James Gordley

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The Enforceability of Promises in European Contract Law

Civil law and common law systems are held to enforce promises differently: civil law, in principle, will enforce any promise, while common law will enforce only those with 'consideration'. In that respect, modern civil law supposedly differs from the Roman law from which it is descended, where a promise was enforced depending on the type of contract the parties had made. This volume is concerned with the extent to which these characterizations are true, and how these and other differences affect the enforceability of promises. Beginning with a concise history of these distinctions, the volume then considers how twelve European legal systems would deal with fifteen concrete situations. Finally, a comparative section considers why modern legal systems enforce certain promises and not others, and what promises should be enforced. This is the second completed project of The Common Core of European Private Law launched at the University of Trento.

JAMES GORDLEY is Shannon Cecil Turner Professor of Jurisprudence at the University of California at Berkeley.

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CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

The Common Core of European Private Law Project

For the transnational lawyer the present European situation is equivalent to that of a traveller compelled to cross legal Europe using a number of different local maps. To assist lawyers in the journey beyond their own locality 'The Common Core of European Private Law Project' was launched in 1993 at the University of Trento under the auspices of the late Professor Rudolf B. Schlesinger.

The aim of this collective scholarly enterprise is to unearth what is already common to the legal systems of European Union member states. Case studies widely circulated and discussed between lawyers of different traditions are employed to draw at least the main lines of a reliable map of the law of Europe.

Books in The Common Core of European Private Law Project

General editors

Mauro Bussani and Ugo Mattei

Good Faith in European Contract Law

edited by Reinhard Zimmermann and Simon Whittaker

The Enforceability of Promises in European Contract Law

edited by James Gordley

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General editors' preface

This is the second book in the series 'The Common Core of European Private Law' which will publish its results within Cambridge Studies in International and Comparative Law. The project was launched in 1993 at the University of Trento under the auspices of the late Professor Rudolf B. Schlesinger. The methodology used in the Trento project is novel. By making use of case studies it goes beyond mere description to detailed inquiry into how most European Union legal systems resolve specific legal questions in practice, and to thorough comparison between those systems. It is our hope that these volumes will provide scholars with a valuable tool for research in comparative law and in their own national legal systems. The collection of materials that the Common Core Project is offering to the scholarly community is already quite extensive and will become even more so when more volumes are published. The availability of materials attempting a genuine analysis of how things are is, in our opinion, a prerequisite for an intelligent and critical discussion on how they should be. Perhaps in the future European private law will be authoritatively restated or even codified. The analytical work carried on today by the almost 200 scholars involved in the Common Core Project is a precious asset of knowledge and legitimization for any such normative enterprise.

We must thank not only the editors and contributors to these first published results but also all the participants who continue to contribute to The Common Core of European Private Law project. With a sense of deep gratitude we also wish to recall our late Honorary Editor, Professor Rudolf B. Schlesinger. We are sad that we have not been able to present him with the results of a project in which he believed so firmly. No scholarly project can survive without committed sponsors. The Dipartimento di Scienze Giuridiche of the University of Trento, its past and present directors and its excellent staff must first be thanked. The European Commission is partially sponsoring our annual General Meetings having included them in their High Level

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xii GENERAL EDITORS' PREFACE

Conferences Program. The Italian Ministry of Scientific Research is now also funding the project, having recognized it as a 'research of national interest'. The Consiglio Nazionale delle Ricerche, the Istituto Subalpino per l'Analisi e l'Insegnamento del Diritto delle Attività Transnazionali, the University of Torino, the Fromm Chair in International and Comparative Law at the University of California and the Hastings College of Law have all contributed to the funding of this project. Last but not least we must encourage all those involved in our ongoing Trento projects in contract law, property, tort and other areas whose results will be the subject of future published volumes. Our home page on the internet is at <http://www.jus.unitn.it/dsg/common-core>. There you can follow our progress in mapping the common core of European private law.

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Abbreviations

Austria

ABGB	<i>Allgemeines bürgerliches Gesetzbuch</i>
ArbSlg	<i>Sammlung Arbeitsrechtlicher Entscheidungen</i>
BGBL	<i>Bundesgesetzblatt</i>
Ehrenzweig, System	A. Ehrenzweig, <i>System des österreichischen allgemeinen Privatrechts</i> , 2nd edn (1928)
EvBl	<i>Evidenzblatt der Rechtsmittelentscheidungen</i>
GIU (NF)	<i>Sammlung von zivilrechtlichen Entscheidungen des Obersten Gerichtshofes</i> , collection founded by J. A. Glaser and J. Unger (new series from 1900)
JBl	<i>Juristische Blätter</i>
Klang, ABGB	H. Klang, <i>Kommentar zum ABGB</i> , 2nd edn (1950)
Koziol and Welser, Grundriß	H. Koziol and R. Welser, <i>Grundriß des bürgerlichen Rechts</i> , 10th edn (1996)
LGZ	<i>Landesgericht für Zivilrechtssachen</i>
MaklerG	<i>MaklerGesetz</i>
MietSlg	<i>Sammlung mietrechtlicher Entscheidungen</i>
NJW	<i>Neue Juristische Wochenschrift</i>
NZwG	<i>Notariatszwangsgesetz</i>
OGH	<i>Oberster Gerichtshof</i>
Rspr	<i>Rechtsprechung</i>
Rummel, ABGB	P. Rummel (ed.), <i>Kommentar zum ABGB</i> , 2nd edn (vol. I 1990, vol. II 1992)
Schwimann, ABGB	M. Schwimann (ed.), <i>Praxiskommentar zum ABGB</i> , 2nd edn (1997)
SZ	<i>Entscheidungen des österreichischen Obersten Gerichtshofes in Zivilsachen</i>

Belgium

- Act. dr. *Actualité du droit*
 Cass. *Cour de cassation*
 De Page, *Traité élémentaire* H. De Page, *Traité élémentaire de droit civil belge*, vol. I, 3rd edn (1962); vol. II, 3rd edn (1964); vol. IV (1938); vol. V (1941); vol. VIII/1 (1944)
 de Wilde d'Estmael, *Répertoire notarial* E. de Wilde d'Estmael, *Répertoire notarial*, vol. III, *Successions, donations et testaments*, book VII, *Les donations* (1995)
 Entr. et dr. *L'entreprise et le droit*
 JCB *Jurisprudence commerciale de Bruxelles*
 JL *Jurisprudence de Liège*
 JLMB *Jurisprudence de Liège, Mons et Bruxelles*
 JP *Justice de paix*
 JT *Journal des tribunaux*
 JTT *Journal des tribunaux du travail*
Les obligations en droit français et en droit belge *Les obligations en droit français et en droit belge, convergences et divergences: actes des Journées d'étude organisées les 11 et 12 décembre 1992 / par la Faculté de droit de Paris Saint-Maur et la Faculté de droit de l'Université libre de Bruxelles* (1994)
 Meinertzhagen-Limpens, *Traité élémentaire* A. Meinertzhagen-Limpens, *Traité élémentaire de droit civil belge* (1997)
 Pas. *Pasicrisie belge*
 Raucent, *Les libéralités* L. Raucent, *Les libéralités* (1979)
 RCJB *Revue critique de jurisprudence belge*
Répertoire pratique du droit belge *Répertoire pratique du droit belge, législation, doctrine et jurisprudence* (updated annually)
 Rev. aff. eur. *Revue des affaires européennes*
 Rev. not. b. *Revue du notariat belge*
 Rev. trim. dr. fam. *Revue trimestrielle de droit familial*
 RGDC *Revue générale de droit civil belge*
 RIDC *Revue internationale de droit comparé*
 RPS *Revue pratique des sociétés*
 RW *Rechtskundig weekblad*
 Sais. *Juge des saisies*
 TGR *Tijdschrift voor Gentse rechtspraak*
 T. not. *Tijdschrift voor notarissen*
 Trib. civ. *Tribunal civil*

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Trib. comm. *Tribunal de commerce*
 Van Ommeslaghe, *Droit des obligations* P. Van Ommeslaghe, *Droit des obligations*, 3rd edn (1993–4)

England

A&E Adolphus & Ellis' Reports (1834–40)
 AC Law Reports, Appeal Cases (from 1891)
 All ER All England Law Reports (from 1936)
 App. Cas. Law Reports, Appeal Cases (1875–90)
 Atiyah, *Law of Contract* P. S. Atiyah, *An Introduction to the Law of Contract*, 5th edn (1995)
 Bing. Bingham's Reports
 Camp. Campbell's Reports (1808–16)
 CB Common Bench Reports (1845–6)
 Ch. Law Reports, Chancery Division (from 1891)
 Ch. D. Law Reports, Chancery Division (1875–90)
Chitty on Contracts J. Chitty, *Chitty on Contracts*, 27th edn (1994)
 CLR Commonwealth Law Reports (Australia)
 Cro. Eliz. Crooke (Elizabeth) Reports (1582–1603)
 De G.F. & J. De Gex, Fisher & Jones Reports (1859–62)
 E & B Ellis & Blackburn Reports (1851–8)
 EGLR Estates Gazette Law Reports
 ER English Reports
 Esp. Espinasse Law Reports (1793–1807)
 Ex D Law Reports, Exchequer Division (1875–80)
 HL House of Lords
 KB Law Reports, King's Bench (1901–52)
 Ld Raym Lord Raymond Reports (1694–1732)
 Lloyd's Rep. Lloyd's Law Reports
 LQ Rev. *Law Quarterly Review*
 LRCP Law Reports, Common Pleas Cases (1865–75)
 LR EX Law Reports, Exchequer Cases (1865–75)
 M & W Meeson & Welsby's Reports (1836–47)
 Mod. L. Rev. *Modern Law Review*
 NI Northern Ireland Law Reports
 Noy Noy's Reports (1559–1649)
 Palmer, *Bailment* N. Palmer, *Bailment*, 2nd edn (1991)
 P & CR Property and Compensation Reports (formerly Planning and Compensation Reports)

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PD	Law Reports, Probate (1864–75)
Pollock, <i>Contract</i>	F. Pollock, <i>Principles of Contract</i> , 13th edn (1950)
QB	Law Reports, Queen's Bench (1891–1900, from 1952)
R	The Reports (1893–5)
SASR	South Australian State Reports
SI	Statutory Instrument
So.	Southern Reporter (United States)
Treitel, <i>Contract</i>	G. H. Treitel, <i>The Law of Contract</i> , 9th edn (1995)
VR	Victorian Reports
WLR	Weekly Law Reports

France

Ass. plén.	<i>Assemblée plénière</i>
Bull. civ.	<i>Bulletin civil de la Cour de cassation</i>
ch.	<i>chambre</i>
Chr.	<i>Chronique</i>
Civ.	<i>Cour de cassation, Chambre civile</i>
Collart-Dutilleul and Delebecque, <i>Contrats</i>	F. Collart-Dutilleul and P. Delebecque, <i>Les contrats civils et commerciaux</i> , 3rd edn (1996)
Com.	<i>Cour de cassation, Chambre commerciale</i>
D	<i>Dalloz</i>
DH	<i>Dalloz, Recueil hebdomadaire de jurisprudence</i> (1924–40)
DP	<i>Dalloz périodique</i>
Flour and Aubert, <i>Droit civil</i>	J. Flour and J. L. Aubert, <i>Droit civil, Les obligations</i> , vol. I, <i>L'acte juridique</i> , 7th edn (1996)
Gaz. Pal.	<i>Gazette du Palais</i>
Ghestin, <i>Traité de droit civil</i>	J. Ghestin, <i>Traité de droit civil, Le contrat, La formation</i> , 3rd edn (1993)
Ghestin, Goubeaux, and Fabre-Magnan, <i>Traité de droit civil</i>	J. Ghestin and G. Goubeaux with M. Fabre-Magnan, <i>Traité de droit civil, Introduction générale</i> , 4th edn (1994)
Ghestin, Jamin and Billau, <i>Traité de droit civil</i>	J. Ghestin, C. Jamin, and M. Billau, <i>Traité de droit civil: les effets du contrat</i> , 2nd edn (1994)
IR	<i>Informations Rapides</i>
JCP	<i>La Semaine juridique</i>
<i>Juris-classeur</i>	<i>Juris-classeur civil</i> (1950, updated annually)

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Malaurie and Aynès, <i>Les contrats spéciaux</i>	P. Malaurie and L. Aynès, <i>Les contrats spéciaux</i> , 11th edn (1998)
Malaurie and Aynès, <i>Les obligations</i>	P. Malaurie and L. Aynès, <i>Les obligations</i> , 8th edn (1998)
PUF	<i>Presses Universitaires de France</i>
Rép. Def.	<i>Répertoire du Notariat Deffrénois</i>
Req.	<i>Cour de cassation, Chambre des requêtes</i>
Rev. dr. immobilier	<i>Revue du droit immobilier</i>
RTDCiv.	<i>Revue trimestrielle de droit civil</i>
S	<i>Recueil Sirey</i>
Soc.	<i>Cour de Cassation, Chambre sociale</i>
somm.	<i>sommaires</i>
Terré, Simler, and Lequette, <i>Les obligations</i>	F. Terré, P. Simler, and Y. Lequette, <i>Les obligations</i> , 6th edn (1996)
TGI	<i>Tribunal de grande instance</i>
Vie jur.	<i>La Vie juridique</i>

Germany

BAG	<i>Bundesarbeitsgericht</i>
BGH	<i>Bundesgerichtshof</i>
BGHZ	<i>Entscheidungen des Bundesgerichtshofs für Zivilsachen</i>
InsO	<i>Insolvenzordnung</i>
JZ	<i>Juristenzeitung</i>
LM	<i>Lindenmaier, Moehring et al., Nachschlagewerk des Bundesarbeitsgericht</i>
Mot.	<i>Motive zum Entwurf eines Bürgerlichen Gesetzbuches (1887)</i>
NJW	<i>Neue Juristische Wochenschrift</i>
NJW-RR	<i>Neue Juristische Wochenschrift Rechtsprechungsreport</i>
RGZ	<i>Entscheidungen des Reichsgerichts in Zivilsachen</i>
WM	<i>Wertpapier Mitteilungen</i>

Greece

Ach.N	<i>Archio Nomologias (Archive of Court Decisions)</i>
AP	<i>Areios Pagos (Supreme Court of Civil Law)</i>
Arm.	<i>Armenopoulos (a journal)</i>
CC	<i>Civil Code</i>

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- Deligiannis and Kornilakis, *Law of Obligations* I. Deligiannis and P. Kornilakis, *Law of Obligations* (1992)
- Dni *Dikaiosyni* (a journal)
- EEN *Ephimerais Hellinon Nomikon* (a journal)
- EfAth *Efetio Athinon* (Athens Court of Appeal)
- Erm interpretation
- ErmAK *Ermineiatou Astikou Kodika* (a collective work on the interpretation of the Civil Code)
- Filios, *Law of Obligations* P. Filios, *Law of Obligations, Special Part* (1988)
- Georgiadis, *General Principles* A. Georgiadis, *General Principles of Civil Law* (1996)
- Georgiadis and Stathopoulos, *Civil Code* A. Georgiadis and M. Stathopoulos (eds.), *Civil Code* (1978)
- Goutos and Levendis, *Labour Legislation* X. Goutos and G. Levendis, *Labour Legislation*, 7th edn (1988)
- HellD *Helliniki Dikaiosini* (a journal)
- Kafkas, *Law of Obligations* K. Kafkas, *Law of Obligations, Special Part*, 7th edn (1993)
- Karakatsanis, *The Declaration of Will* I. Karakatsanis, *The Legal Nature of the Type of the Declaration of Will* (1980)
- Karakatsanis, *Individual Labour Law* A. Karakatsanis, *Individual Labour Law*, 2nd edn (1988)
- NoB *Nomiko Bima*
- Stathopoulos, *Contract Law* M. Stathopoulos, *Contract Law in Hellas* (1995)
- Stathopoulos, *Law of Obligations* M. Stathopoulos, *Law of Obligations, General Part*, 2nd edn (1993)
- Varthakokoilis, *Analytical Interpretation* V. Varthakokoilis, *Analytical Interpretation and Court Rulings on the Civil Code* (1989)

Ireland

- A&E Adolphus & Ellis' Reports (1834–40)
- AC Law Reports, Appeal Cases (from 1891)
- All ER All England Law Reports (from 1936)
- App. Cas. Law Reports, Appeal Cases (1875–90)
- B & S Best & Smith's Reports (1861–70)
- Camp. Campbell's Reports (1808–16)
- Ch. Law Reports, Chancery Division (from 1891)
- Ch. App. Chancery Appeals (from 1891)
- Chitty on Contracts* J. Chitty, *Chitty on Contracts*, 27th edn (1994)

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Clark, <i>Contract Law</i>	R. Clark, <i>Contract Law in Ireland</i> , 3rd edn (1992)
CLR	Commonwealth Law Reports (Australia)
Exch.	Court of Exchequer
Friel, <i>Contract</i>	R. Friel, <i>The Law of Contract</i> , 1st edn (1995)
Hare	Hare's Reports (1841–53)
Hob.	Hobart's Reports (1603–25)
ICLR	Irish Company Law Reports
I.Eq.R.	Irish Equity Reports (1838–50)
ILRM	Irish Law Reports Monthly
ILTR	Irish Law Times Reports
IR	Irish Reports (from 1894)
JISL	Journal of the Irish Society for Labour Law
KB	Law Reports, King's Bench (1901–52)
LRCP	Law Reports, Common Pleas Cases (1865–75)
LR Exch.	Law Reports, Exchequer
LRHL	Law Reports, English and Irish Appeals (1866–75)
LT	Law Times Reports (1859–1947)
NI	Northern Ireland Court of Appeal or Northern Ireland Law Reports
NZLR	New Zealand Law Reports
Palmer, <i>Bailment</i>	N. Palmer, <i>Bailment</i> , 2nd edn (1991)
QB	Law Reports, Queen's Bench (1891–1900, from 1952)
SASR	South Australian State Reports (from 1921)
Treitel, <i>Contract</i>	G. H. Treitel, <i>The Law of Contract</i> , 9th edn (1995)
WLR	Weekly Law Reports

Italy

Cass. civ.	<i>Corte di cassazione sezione civile</i>
Cass. pen.	<i>Corte di cassazione sezione penale</i>
Cicu-Messineo, <i>Tratt. dir. civ. e comm.</i>	A. Cicu and F. Messineo, <i>Trattato di diritto civile e commerciale</i>
Contr. e impr.	<i>Contratto e impresa</i>
Corr. giur.	<i>Corriere giuridico</i>
Corte app.	<i>Corte d'appello</i>
Digesto	<i>Digesto delle discipline privatistiche</i> , 4th edn, sezione civile
Enc. dir.	<i>Enciclopedia del diritto</i>
Enc. giur. Treccani	<i>Enciclopedia giuridica Treccani</i>
Foro it.	<i>Foro italiano</i>
Foro it. Rep.	<i>Repertorio del Foro italiano</i>

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Foro pad.	<i>Foro padano</i>
Giur. it.	<i>Giurisprudenza italiana</i>
Giur. merito	<i>Giurisprudenza di merito</i>
Giur. sist. civ. e comm.	<i>Giurisprudenza sistematica civile e commerciale</i> , directed by W. Bigiavi
Giust. civ.	<i>Giustizia civile</i>
Gorla, <i>Il contratto</i>	G. Gorla, <i>Il contratto. Problemi fondamentali trattati con il metodo comparativo e casistico</i> (1955)
Marini, <i>Promessa ed affidamento</i>	G. Marini, <i>Promessa ed affidamento nel diritto dei contratti</i> (1995)
Mass. Foro it.	<i>Massimario del Foro italiano</i>
Mass. Giust. civ.	<i>Massimario di Giustizia civile</i>
Nuova giur. civ. comm.	<i>Nuova giurisprudenza civile commentata</i>
Rass. dir. civ.	<i>Rassegna di diritto civile</i>
Rep.	<i>Repertorio</i>
Rescigno, <i>Tratt. di dir. priv.</i>	P. Rescigno, <i>Trattato di diritto privato</i>
Riv. dir. civ.	<i>Rivista di diritto civile</i>
Riv. dir. com.	<i>Rivista di diritto commerciale</i>
Riv. trim. dir. proc. civ.	<i>Rivista trimestrale di diritto e procedura civile</i>
sez. civ.	<i>sezione civile</i>
sez. lav.	<i>sezione del lavoro</i>
Vassalli, <i>Tratt. di dir. civ.</i>	Vassalli, <i>Trattato di diritto civile</i>

The Netherlands

AA	<i>Ars Aequi</i>
Asser/Hartkamp	A. S. Hartkamp, <i>Mr C. Asser's handleiding tot de beoefening van het Nederlands burgerlijk recht</i> , <i>Verbintenissenrecht</i> , vol. I, <i>De verbintenis in het algemeen</i> , 10th edn (1996); vol. II, <i>Algemene leer der overeenkomsten</i> , 10th edn (1997); vol. III, <i>Bijzondere Overeenkomsten</i> , 7th edn (1997)
Asser/Kortmann	S. C. J. J. Kortmann, L. J. M. de Leede, and H. O. Thunissen, <i>Mr C. Asser's handleiding tot de beoefening van het Nederlands burgerlijk recht</i> , <i>Bijzondere overeenkomsten</i> , vol. III, <i>Overeenkomst von opdracht, arbeidsovereenkomst</i> , <i>aanneming van werk</i> , 7th edn (1994)
HR	<i>Hoge Raad der Nederlanden</i>
NBW	<i>Nieuw Burgerlijk Wetboek</i> (Civil Code)
NJ	<i>Nederlandse Jurisprudentie</i>

NJB	<i>Nederlands Juristenblad</i>
NTBR	<i>Nederlands Tijdschrift voor Burgerlijk Recht</i>
PG	<i>Parlementaire Geschiedenis NBW</i>
Pitlo/Du Perron	E. Pitlo in E. Du Perron, <i>Het Nederlands burgerlijk recht</i> , vol. VI, <i>Bijzondere overeenkomsten</i> , 9th edn (1995)
Pitlo/Salomons	A. Salomons in E. Pitlo, <i>Het Nederlands burgerlijk recht</i> , vol. VI, <i>Bijzondere overeenkomsten</i> , 9th edn (1995)
Tjittes, <i>De hoedanigheid van contractspartijen</i>	R.-J. Tjittes, <i>De hoedanigheid van contractspartijen</i> , diss. Groningen (1994)
Van Schaick, 'Vriendendienst'	B. van Schaick, 'Vriendendienst en aansprakelijkheidsleniging', NTBR (10/1997)
W	<i>Weekblad Van Het Recht</i>
WPNR	<i>Weekblad voor Privaatrecht, Notariaat en Registratie</i>

Portugal

BMJ	<i>Boletim de Ministério da Justica</i>
CJ	Colectânea de Jurisprudencia
Cordeiro, <i>Da Boa Fé no Direito Civil</i>	A. M. Cordeiro, <i>Da Boa Fé no Direito Civil</i> (1984)
Cordeiro, <i>Direito das Obrigações</i>	A. M. Cordeiro, <i>Direito das Obrigações</i> (1980)
Costa, <i>Direito das Obrigações</i>	M. J. A. Costa, <i>Direito das Obrigações</i> , 7th edn (1998)
Lima and Varela, <i>Código Civil Anotado</i>	F. A. F. Lima and J. A. Varela, <i>Código Civil Anotado</i> , 4th edn (1997)
RC	<i>Relação de Coimbra</i>
STJ	<i>Supremo Tribunal de Justiça</i>

Scotland

All ER	All England Law Reports (from 1936)
D	Dunlop, Bell & Murray's Reports, Court of Session Cases
Inst.	James, Viscount of Stair, <i>The Institutions of the Law of Scotland</i>
Mor	Morison's Dictionary of Decisions, Court of Session
R	Rettie's Court of Session Cases, Fourth Series (1873–98)
S	Shaw's Court of Session Cases, First Series (1821–35)
SC	Session Cases

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Spain

Castán Tobeñas, *Derecho civil* J. Castán Tobeñas, *Derecho civil español común y foral* (1981, 1983, 1984)

Díez Picazo, *Fundamentos de derecho* L. Díez Picazo, *Fundamentos del derecho civil patrimonial* (1996)

Díez Picazo and Gullón, *Sistema de derecho civil* L. Díez Picazo and A. Gullón, *Sistema de derecho civil* (1979, 1981)

Pérez and Alguer, *Anotaciones* B. Pérez and J. Alguer, *Anotaciones al Derecho de obligaciones de Enneccerus and Lehmann*, 2nd edn (1954)

Puig Brutau, *Fundamentos de derecho civil* J. Puig Brutau, *Fundamentos de derecho civil* (1976)

Rebullida, *Notas sobre la naturaleza jurídica* S. Rebullida, *Notas sobre la naturaleza jurídica de la condonación de las obligaciones. Revista de derecho privado* (February 1955)

TS *Tribunal Supremo*. All *Tribunal Supremo* decisions prior to 1930 are cited from *Jurisprudencia Civil. Colección completa de las resoluciones dictadas por el tribunal supremo* (ed. Reus); thereafter from *Repertorio de jurisprudencia* (ed. Aranzadi)

Other sections

A.	Atlantic Reporter
Ala.	Alabama
App. Cas.	Law Reports, Appeal Cases (1875–90)
Ark.	Arkansas
Barn. & Ald.	Barnewell and Alderson's Reports
Cal. L. Rev.	<i>California Law Review</i>
Cl. & F.	Clark and Fennelly's Reports
Colo.	Colorado
Comb.	Comberbach's Reports
Cowp.	Cowper's Reports
Cro. Eliz.	Crooke (Elizabeth) Reports (1582–1603)
Harv. L. Rev.	<i>Harvard Law Review</i>
Holt	Holt's Reports
Int. Eng. Comp. L.	<i>International Encyclopedia of Comparative Law</i>
Jur. Rev.	<i>Juridical Review</i>
KB	Law Reports, King's Bench (1901–52)

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Latch	Latch's Reports
Ld Raym	Lord Raymond Reports (1694–1732)
Leon.	Leonard's Reports
LQ Rev.	<i>Law Quarterly Review</i>
Md	Maryland
Mich.	Michigan
Minn.	Minnesota
N.E.	North Eastern Reporter
Neb.	Nebraska
N.W.	North Western Reporter
N.Y.	New York
Owen	Owen's Reports
P.	Pacific Reporter
Plowden	Plowden's Reports
So.	Southern Reporter
Strange	Strange's Reports
S.W.	South Western Reporter
Term. R.	Term Reports
U.S.C.	United States Code