

Cambridge University Press
978-1-107-03880-6 - The Transformation of European Private Law: Harmonisation,
Consolidation, Codification or Chaos?
Edited by James Devenney and Mel B. Kenny
Table of Contents
More information

CONTENTS

Foreword by Norbert Reich vii List of abbreviations ix

Introduction 1

JAMES DEVENNEY AND MEL B. KENNY

- The Draft Common Frame of Reference in relation to English contract law 4
 STEPHEN WADDAMS
- The Draft Common Frame of Reference and European contract law: moving from the 'academic' to the 'political'
 PAULA GILIKER
- The Europeanisation of contract law and the role of comparative law: the case of the Directive on Consumer Rights
 CRISTINA AMATO
- The private law dimension to the 'state of the Union': (D)CFR/CESL initiatives and the Europeanisation of private law 63

JAMES DEVENNEY AND MEL B. KENNY

- 5 European contract law: how to exclude land? 78
 PETER SPARKES
- 6 Harmonisation and its discontents: a transaction costs critique of a European contract law 100 ROGER HALSON AND DAVID CAMPBELL

v



Cambridge University Press 978-1-107-03880-6 - The Transformation of European Private Law: Harmonisation, Consolidation, Codification or Chaos? Edited by James Devenney and Mel B. Kenny Table of Contents More information

Vi	CONTENTS
V I	CONTENTS

- 7 Theory and practice of constructing a common contract law terminology 131
 CHIARA PERFUMI
- 8 Private law discourse and scholarship in the wake of the Europeanisation of private law 148
 OLHA CHEREDNYCHENKO
- 9 Contract codification and the English: some observations from the Indian Contract Act 1872 172
 WARREN SWAIN
- 10 Consequences of implementing EU legislation: an Estonian experience 196 IRENE KULL AND SANDER KÄRSON
- 11 The impact of Europe on Irish contract law 208
- 12 The Europeanisation of insurance contract law: the insurer's duty to advise and its regulation in German and European law 235 PIOTR TERESZKIEWICZ
- 13 European contract law-making and development: lessons from the Unfair Contract Terms Directive's price term exemption 256 MICHAEL SCHILLIG
- 14 Enforcement or compensation? Damages actions in EU law after the Draft Common Frame of Reference 276

 DOROTA LECZYKIEWICZ
- 15 Consumer complaints and alternative dispute resolution: harmonisation of the European ADR system 295 IMMACULADA BARRAL-VIÑALS
- 16 Conclusions: the transformation of European private law 316

 JAMES DEVENNEY AND MEL B. KENNY

Index 326