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978-0-521-89570-5 - The Cambridge Companion to Comparative Law

Edited by Mauro Bussani and Ugo Mattei

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The Cambridge Companion to Comparative Law

We can only claim to understand another legal system when we know the cultural and social context that surrounds the positive law in which lawyers are trained. To avoid ethnocentricity and superficiality, we must go beyond judicial decisions, doctrinal writings, and the black-letter law of codes and statutes, and probe the 'deeper structures' where law meets cultural, political and socio-economic factors. It is only when we acquire such awareness and knowledge of the critical factors affecting both the backgrounds and implications of rules that it becomes possible to control the present and possibly future developments in the world's legal institutions. This collection of essays aims to provide the reader with a fundamental understanding of the dynamic relationship between the law and its cultural, political, and socio-economic context.

Mauro Bussani is Professor of Comparative Law at the University of Trieste and Scientific Director of the International Association of Legal Sciences (IALS-Unesco). He is co-editor of a Cambridge University Press series, and a member of numerous international scientific institutions. He has been Visiting Professor in Brazil, France, Hungary, China, Portugal, Serbia, Switzerland, the United Kingdom, and the United States. His principal publications include twenty-one books (of five of which he was the editor) and more than one hundred essays, in Italian, English, French, Spanish, Portuguese and Chinese.

Ugo Mattei is Professor of Civil Law at the University of Turin, Alfred and Hanna Fromm Distinguished Professor of International and Comparative Law at University of California Hastings College of the Law, and Academic Co-ordinator of the International University College of Turin. He is co-editor of a Cambridge University Press series and of *Global Jurist*. He holds positions on the scientific council of many international institutions and law reviews. His work is highly interdisciplinary and has been published and translated widely in books and journals.

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Contributors

Khaled Abou El Fadl is the Omar and Azmeralda Alfi Distinguished Professor in Islamic Law at the UCLA School of Law and Chair of the Islamic Studies Interdepartmental Program at UCLA. His books include *The Great Theft, Rebellion and Violence in Islamic Law*, *Speaking in God's Name: Islamic Law, Authority and Women*, and *The Search for Beauty in Islam: A Conference of the Books*.

George A. Bermann is Jean Monnet Professor of European Union Law and Walter Gellhorn Professor of Law at the Columbia University School of Law and Director of the European Legal Studies Center, professeur affilié of the Ecole de Droit de Sciences Po, faculty member of the Collège d'Europe (Bruges), and current president of the International Academy of Comparative Law.

Francesca Bignami is Professor of Law at the George Washington University. She has published widely in the field of comparative administrative law, and is currently working on a monograph on fundamental rights and policy rationality in Europe and the United States.

J. David Bleich is a professor of Talmud and Director of the Postgraduate Institute for Jurisprudence and Family Law at the Rabbi Isaac Elchanan Theological Seminary, Professor of Law at the Benjamin N. Cardozo School of Law, and Herbert and Florence Tenzer Professor of Jewish Law and Ethics at Yeshiva University.

Mauro Bussani is Professor of Comparative Law at the University of Trieste and Scientific Director of the International Association of Legal Sciences (IALS-Unesco). He is co-editor of a Cambridge University Press series, and a member of numerous international scientific institutions. His principal publications include twenty-one books (of five of which he was the editor) and more than one hundred essays, in Italian, English, French, Spanish, Portuguese and Chinese.

Oscar G. Chase is the Russell D. Niles Professor of Law at the New York University School of Law, Co-Director of the Institute of Judicial Administration, and vice-president of the International Association of Procedural Law. His books include *Law, Culture, and Ritual: Disputing*

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Processes in Cross-Cultural Context, Civil Litigation in New York, and Common Law, Civil Law and the Future of Categories (editor with Janet Walker).

Günter Frankenberg is Professor of Public Law, Philosophy of Law and Comparative Law at the Goethe University in Frankfurt. He has participated as legal consultant in law- and constitution-making projects in central and eastern European countries. His publications include *Autorität und Integration. Zur Grammatik von Recht und Verfassung* and *Staatstechnik: Perspektiven auf Rechtsstaat und Ausnahmezustand*.

Nuno Garoupa is Professor of Law, the H. Ross and Helen Workman Research Scholar and Co-Director of the Illinois Program on Law, Behavior & Social Science at the University of Illinois College of Law. He was awarded the Spanish Julian Marias Research Prize 2010 in social sciences and humanities.

Tom Ginsburg is Leo Spitz Professor of International Law at the University of Chicago, where he also holds an appointment in the Political Science Department. He holds BA, JD and Ph.D. degrees from University of California Berkeley.

Elisabetta Grande is Professor of Comparative Law at the Università del Piemonte Orientale. She is a member of the International Academy of Comparative Law. She has published extensively in Italian, English, and French on comparative criminal law, comparative criminal procedure, African law, and legal anthropology.

Arthur Jacobson is Max Freund Professor of Litigation and Advocacy at the Benjamin N. Cardozo School of Law, Yeshiva University. He is writing, with Professor J. David Bleich, a book on contemporary issues in Jewish law.

Duncan Kennedy is Carter Professor of General Jurisprudence at Harvard Law School, where since 1971 he has taught private law theory, housing law and policy, and globalization of law. He is the author of, among other pieces, *Legal Education and the Reproduction of Hierarchy* and *A Critique of Adjudication: fin de siècle*.

Diego López-Medina is Professor of Law at the Universidad de los Andes in Bogotá. He has written extensively on issues of comparative law, constitutional law, and legal theory. He has served as judge ad hoc for the Constitutional Court of Colombia and the Inter-American Court of Human Rights.

Ugo Mattei is Professor of Civil Law at the University of Turin, Alfred and Hanna Fromm Distinguished Professor of International and Comparative Law at University of California Hastings College of the Law, and Academic

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Co-ordinator of the International University College of Turin. His work is highly interdisciplinary and has been published widely in books and journals.

Vernon Valentine Palmer is Thomas Pickles Professor of Law and Co-director of the Eason Weinmann Center for Comparative Law at Tulane University, and president of the World Society of Mixed Jurisdiction Jurists. His books include *Mixed Jurisdictions Worldwide: The Third Legal Family* and *Pure Economic Loss* (with Mauro Bussani).

Barbara Pozzo is Professor of Comparative Law, University of Insubria (Como), Co-ordinator of the Ph.D. Programme in Comparative Law, Faculty of Law, University of Milan, and a Member of the International Academy of Comparative Law. She is editor of the series *Le lingue del diritto* (Milan: Giuffrè).

Mathias Reimann is Hessel E. Yntema Professor of Law at the University of Michigan, and a Titular Member of the International Academy of Comparative Law. He is editor-in-chief of the *American Journal of Comparative Law*. His main areas of interest include comparative law, conflict of laws, and legal history.

Lawrence Rosen is William N. Cromwell Professor of Anthropology at Princeton University and Adjunct Professor of Law at Columbia University Law School. His books include *Bargaining for Reality*, *Law as Culture*, *The Culture of Islam*, *The Justice of Islam*, *Varieties of Muslim Experience*, and *The Anthropology of Justice*.

Teemu Ruskola is Professor of Law at Emory University. He has been a visiting professor at Cornell and Georgetown universities and at the Woodrow Wilson School at Princeton University. He is the recipient of several fellowships, and author of a forthcoming book entitled *Legal Orientalism: China, the United States, and Modern Law*.

Rodolfo Sacco is Professor Emeritus of Civil Law at the University of Turin, and holds honorary doctorates from the universities of Paris II and Geneva. He is a Member of the Accademia dei Lincei, of the Academia Europaea, and of the International Academy of Comparative Law. His books include *Il contratto*, *Introduzione al diritto comparato*, *Sistemi giuridici comparati*, *Droit africain*, and *Anthropologie juridique*.

Vincenzo Varano is Professor of Comparative Law at the University of Florence, where he served as Dean of the Law Faculty; he is a Member of the Global Faculty at New York University and a Titular Member of the International Academy of Comparative Law. He has written extensively on

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comparative law, civil procedure, and judicial organization, and is co-author of *Civil Litigation in Comparative Context*.

Franz Werro is Professor of Law at the University of Fribourg and at Georgetown Law, Georgetown University. He teaches and researches in the law of obligations, European private law, and comparative law. He has written extensively on European private law, product liability, and privacy law.

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Abbreviations

ADR	Alternative Dispute Resolution
ALI	American Law Institute
BCE	before Common Era
BGB	Bürgerliches Gezetzbuch
BVG	Bundesverfassungsgericht
CARICOM	Caribbean Community
CE	Common Era
CEELI	Central and East European Law Initiative
DCFR	Draft Common Frame of Reference
EC	European Communities
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms (European Convention on Human Rights)
ECJ	European Court of Justice
ECR	European Court Report
ECtHR	European Court of Human Rights
EEC	European Economic Community
EMRK	Europäische Menschenrechtskonvention
EU	European Union
EUA	Estados Unidos da América
FAO	Food and Agriculture Organization (of UN)
FED. R. CIV. PROC.	Federal Rules of Civil Procedure
ICAO	International Civil Aviation Organization
ICC	International Criminal Court
ILC	International Law Commission
NBC	National Broadcasting Company
NPCPC	Nouveau code de procedure civile
NOU	Norges offentlige utredninger
OHADA	Organisation pour l'harmonisation en Afrique du droit des affaires
OJ	<i>Official Journal of the European Union</i>

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OPEC	Organization of the Petroleum Exporting Countries
StGB	Strafgesetzbuch
TEC	Treaty Establishing the European Community
TFEU	Treaty on the Functioning of the European Union
UN	United Nations
UNCITRAL	United Nations Commission on International Trade Law
UNIDROIT	Institut International pour l'Unification du Droit Privé/International Institute for the Unification of Private Law
USAID	United States Agency for International Development
WIPO	World Intellectual Property Organization
WTO	World Trade Organization