

Perspectives of Critical Contract Law

Thomas Wilhelmsson



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This book contains the plenary reports and a selection of working group reports from a seminar on critical contract law held near Helsinki in May 1992. The purpose of the seminar was to bring together the ongoing discourses on the welfare state and its crisis, and on new alternative paradigms of contracts law with the discourse on international harmonization of contract law, especially in Europe and within the European Communities. The theory of contract is related to other social theories such as the theory of a risk society. In the book is discussed the possibilities of socially oriented perspectives of contract law in the next millennium. It contains articles written by prominent scholars from England, Germany, Italy, The Netherlands, Denmark, Norway and Finland amongst others.

Perspectives of Critical Criminal Law provides an up-to-date account of the international debate surrounding contract theory and places special emphasis on the changes in modern contract thinking and the future perspectives of contract law. Perhaps most importantly, it provides a comparative approach which transcends national peculiarities. This book is an important resource for instructors and researchers in contract law, private law, comparative law and general legal theory.

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Perspectives Of Critical Contract Law

**Johanna Niemi,Iain Ramsay,William C.
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Perspectives of Critical Contract Law Thomas Wilhelmsson, 1993-01-01 This text contains the plenary reports and a selection of working group reports from a seminar on critical contract law held near Helsinki in May 1992 The purpose of the seminar was to bring together the ongoing discourses on the welfare state and its crisis and on the alternative paradigms of contracts law with the discourse on international harmonization of contract law especially in Europe and within the European Communities

Handbook of Research on International Consumer Law Geraint G. Howells, I. Ramsay, Thomas Wilhelmsson, 2010 This is a truly international effort and one with a strong commitment to human rights by the highly reputable authors coming from different jurisdictions The many facets of today's consumer law are presented to the reader including developing countries a fascinating effort in a dynamically emerging field of law We are comprehensively informed about such bread and butter areas as advertising unfair terms consumer guarantees product safety and liability consumer credit and redress But traditional consumer law concepts and remedies are facing challenges in more complex areas like services of general internet where consumers and private users should enjoy equal access to universal services with the internet where speed must not be a pretext to eliminate standards of fair dealing with risky investment services under the problematic paradigm shift from investor protection to investor confidence A book to read to think about to work with for everybody interested in the future of consumer markets and law in a time of economic crisis Norbert Reich University of Bremen Germany This is a richly interesting collection of essays written by leading names in the field It offers a thoroughly reliable survey of key tensions and challenges in modern consumer law and brilliantly combines thematic overview with detailed analysis It will stimulate comparative thinking it will provide a source of information and it will be welcomed by consumer law scholars all over the world Stephen Weatherill University of Oxford UK Consumer law and policy has emerged in the last half century as a major policy concern for all nations This Handbook of original contributions provides an international and comparative analysis of central issues in consumer law and policy in developed and developing economies The Handbook encompasses questions of both social policy and effective business regulation Many of the issues are common to all countries and are becoming increasingly globalised due to the growth in international trade and technological developments such as the Internet The authors provide a broad coverage of both substantive topics and institutional questions concerning optimal approaches to enforcement and the role of class actions in consumer policy It also includes comparative insights into the influential EU and US models of consumer law and relates consumer law to contemporary trends in human rights law Written by a carefully selected group of international experts this text represents an authoritative resource for understanding contemporary and future developments in consumer law This Handbook will provide students researchers and policymakers with an insight to the main policy debates in each context and provide models of legal regulation to assist in the evaluation of laws and the development of consumer law and policy

Feminist Perspectives on

The Foundational Subjects of Law Anne Bottomley, 1996-03-13 The essays in this volume fall within a chapter on one of the foundational law subjects on the degree syllabus and aim to provide an account of feminist approaches to each of the following areas contracts torts land law equity and trusts criminal law public law and European law **Contract Law in Perspective** Linda Mulcahy, John Tillotson, 2004 This book approaches contract law from its social political and economic context and by doing so aims to broaden understanding and appreciation of the subject at a level which is suitable for students Legal and business perspectives are introduced as are some sociological and economic ideas and influences

Ideology and Community in the First Wave of Critical Legal Studies Richard W. Bauman, 2002-01-01 Bauman examines several major themes and arguments in the first decade of critical legal scholarship predominantly in the U S in the period dating roughly from the mid 1970s to the mid 1980s **Critical Legal Studies** Richard W Bauman, 2021-11-28

Contemporary legal thought has been powerfully influenced by Critical Legal Studies a school of legal scholars whose work has sustained a continuing radical critique of established legal doctrines In this essential reference work Richard Bauman presents the most thorough up to date guide available for this essential literature In addition to providing the basic bibliographic information Bauman offers a set of effective introductions to contextualize and explain the work being surveyed He has created a fundamental handbook not only for the law but also for politics and radical thought *Consumer*

Bankruptcy in Global Perspective Johanna Niemi, Iain Ramsay, William C. Whitford, 2003-11-27 Consumer Bankruptcy and over indebtedness is an emerging field throughout the world This book provides a comparative appraisal of global developments in this area It is one of the first book length publications focusing on comparative consumer bankruptcy and over indebtedness It combines theoretical and empirical studies of bankruptcy regimes and consumer credit in civilian and common law jurisdictions as well as exploring current reform trends The book will be of interest to academics policymakers and law reformers as well as to practitioners **Critical Legal Perspectives on Global Governance** Gráinne de

Búrca, Claire Kilpatrick, Joanne Scott, 2014-07-18 This book of essays written in honour of Professor David Trubek explores many of the themes which he has himself written about most notably the emergence of a global critical discourse on law and its application to global governance As law becomes ever more implicated in global governance and as processes related to and driven by globalisation transform legal systems at all levels it is important that critical traditions in law adapt to the changing legal order and problematique The book brings together critical scholars from the EU and North and South America to explore the forms of law that are emerging in the global governance context the processes and legal roles that have developed and the critical discourses that have been formed By looking at critical appraisals of law at the global regional and national level the links among them and the normative implications of critical discourses the book aims to show the complexity of law in today's world and demonstrate the value of critical legal thought for our understanding of issues of contemporary governance and regulation Scholars from many countries contribute critical studies of global and regional

institutions explore the governance of labour and development policy in depth and discuss the changing role of lawyers in global regulatory space

The Modern Law of Contract Richard Stone, James Devenney, 2015-04-10 The Modern Law of Contract is a clear and logical textbook written by an experienced author team with well over 30 years teaching and examining experience Offering a carefully tailored overview of all key topics for LLB and GDL courses this eleventh edition has been thoroughly updated The book also includes a number of learning features designed to enhance comprehension and aid exam preparation including Understand and remember core topics boxed chapter summaries offer a useful checklist for students while illustrative diagrams help to clarify difficult concepts Identify important cases and assess their relevance Key Case features highlight and contextualise the most significant cases Reflect on how contract law operates in context highlighted For thought features ask students to consider what if scenarios while in focus features offer critical commentary on the law Consolidate learning and prepare for assessment further reading lists and comparison website directions at the end of each chapter direct you to additional interactive resources to test and reinforce your knowledge Clearly written and easy to use The Modern Law of Contract enables undergraduate students of contract law to fully engage with the topic and gain a profound understanding of this fundamental area

The Richness of Contract Law R.A. Hillman, 2012-12-06 Scholars have produced a wide variety of theoretical work on contract law This is the first book to compile it to present it coherently to evaluate it and to supply numerous references to additional sources The author also offers his own practical perspective that emphasizes contract law's richness and complexity and questions the utility of abstract unitary theories The author argues that notwithstanding contract law's complexity it successfully facilitates the formation and enforcement of private arrangements and ensures a degree of fairness in the process of exchange Each chapter presents a pair of largely contrasting theories to clarify the central issue of contract law and theory to set forth the range of views and to help identify a practical middle ground Among the contract theories discussed and analyzed are promise contextual feminist formal mainstream critical economic empirical and relational The book should interest legal theorists practising lawyers law students and general readers who want to learn more about contract law and theory

Contract Law Adam Kramer KC, 2010-01-02 This is a new type of book It provides an index of the most useful and important academic and other writings on contract law whether published in articles or journal chapters or as books These writings with their full citation are gathered under familiar contract law subject headings and the most significant half of them are digested in a summary of a few lines each The book aims to cover all writings published in the English language about the Common Law of contracts and includes sections on contract theory and the history of contract law as well as sections for the more traditional substantive topics such as the interpretation of contracts penalty clauses remoteness of damage and anticipatory breach This work should prove an invaluable resource for practitioners academics and students increasing awareness of important writings and saving readers time by familiarising them with the work that has already been done in their particular fields

Contract Law Andrew Stewart, Warren Swain, Karen Fairweather, 2019-06-21 Provides a fresh topical and accessible account of the Australian law of contract

Stewart Macaulay: Selected Works David Campbell, 2020-10-30 This book represents a unique resource about Stewart Macaulay one of the common law world's leading scholars of the law of contract and of the law in action approach to the study of law Since 1959 he has published over 50 articles in leading journals a number of working papers with colleagues at the University of Wisconsin Law School a pathbreaking casebook for the teaching of the law of contract and with other colleagues equally pathbreaking collections of materials for the teaching of the law in action or law in context approach to the study of law In this work Macaulay has established himself as one of the postwar world's leading scholars of the law of contract and of the sociology of law His work is an absolute reference point in both disciplines and it has attracted great attention elsewhere most notably in economic sociology where his concept of non contractual economic relationships is regarded as an important theoretical innovation Macaulay's work has become an object of commentary in its own right and the proposed book is intended to assist further such commentary by making hitherto difficult to obtain works readily accessible Most of Macaulay's work is now when the leading journals are generally available in electronic form readily accessible to students and researchers in universities There are however a number of interesting and in most cases important works published in less accessible journals or works which were not published in an electronic form which are difficult to obtain This book will make them readily available and in so doing will make it possible in future for scholars to have Macaulay's complete oeuvre readily to hand Although Macaulay's work has provoked very considerable discussion there previously have been no overall accounts of that work as opposed to critical engagements with aspects of it In this book two additional essays by leading commentators give accounts of Macaulay's work and provide an introduction to exegesis of and general evaluation of Macaulay's work as a whole which is not to be found in the existing literature

International Perspectives on Consumers' Access to Justice Charles E. F. Rickett, Thomas G. W. Telfer, 2003-03-20 Consumer protection law in the age of globalisation poses new challenges for policy makers This book highlights the difficulties of framing regulatory responses to the problem of consumers access to justice in the new international economy The growth of international consumer transactions in the wake of technological change and the globalisation of markets suggests that governments can no longer develop consumer protection law in isolation from the international legal arena Leading scholars consider the broader theme of access to justice from socio legal law and economics perspectives Topics include standard form contracts the legal challenges posed by mass infections such as mad cow disease and CJD ombudsman schemes class actions alternative dispute resolution consumer bankruptcy conflict of laws and cross border transactions This book demonstrates that advancing and achieving access to justice for consumers proves to be a challenging and sometimes elusive task

The Principles of European Contract Law Ole Lando, 2023-09-29 An arbitrator has to decide a case under a contract to be governed by internationally accepted principles of law A business person is negotiating a contract with a

company in another EU state but neither party wishes to apply the law of the other party's country A lawyer is advising parties to contracts involving parties in other States An EU official is drafting a new Directive affecting contracts A professor of law wants her students to gain a solid understanding of the way in which contracts are treated by the laws of the different Member States and to understand the common principles All these need to know the fundamental principles of contract law shared by the legal systems of the Member States and to have a concise comprehensive and workable statement of them The Principles of European Contract Law provides this The Principles have been drawn up by an independent body of experts from each Member State of the EU under a project supported by the European Commission and many other organisations The Principles are stated in the form of articles with a detailed commentary explaining the purpose and operation of each article and its relation to the remainder A particularly valuable feature is that each article also has extensive comparative notes surveying the national laws and other international provisions on the topic The Principles of European Contract Law Parts I II covers the core rules of contract formation authority of agents validity interpretation contents performance non performance and remedies The articles previously published in Part I 1995 are included in a revised and re ordered form

Principles of European Contract Law Commission on European Contract Law, 2000-01-01 This text provides a comprehensive guide to the principles of European contract law They have been drawn up by an independent body of experts from each Member State of the EU under a project supported by the European Commission and many other organizations The principles are stated in the form of articles with a detailed commentary explaining the purpose and operation of each article and its relation to the remainder Each article also has extensive comparative notes surveying the national laws and other international provisions on the topic Advanced Introduction to Contract Law and Theory Brian H. Bix, 2023-07-01 This comprehensive Advanced Introduction provides an overview of contract law and contemporary contract theory Demonstrating that an understanding of theory and policy is a vital aspect of being an effective practicing lawyer Brian H Bix explores which theoretical approaches can best explain and justify contract law arguing for greater critical attention to the connections between contract law theory practice and teaching **The Law of Contract** Hugh Collins, 2003-07 This volume provides an advanced analysis of the law of contract for undergraduate courses covering the law of contract and the law of obligations Reconceiving Medical Ethics Christopher Cowley, 2012-02-09 This volume of original work comprises a modest challenge sometimes direct sometimes implicit to the mainstream Anglo American conception of the discipline of medical ethics It does so not by trying to fill the gaps with exotic minority interest topics but by re examining some of the fundamental assumptions of the familiar philosophical arguments and some of the basic situations that generate the issues The most important such situation is the encounter between the doctor and the suffering patient which forms one of the themes of the book The authors show that concepts such as the body suffering and consent and the role such concepts play within patients lives are much more complicated than the Anglo American mainstream appreciates Some of these concepts

have been discussed with subtlety by Continental philosophers like Heidegger Ricoeur and a secondary purpose of the volume is to apply their ideas to medical ethics Designed for upper level undergraduates and graduate students with some philosophical background in ethics *Reconceiving Medical Ethics* opens up new avenues for discussion in this ever developing field

Text, Cases and Materials on Contract Law Richard Stone, James Devenney, 2017-07-14 Written by leading authors in the field this clear and highly accessible volume provides full coverage of the topics commonly found in the contract law syllabus alongside up to date illustrative case examples and stimulating commentary Composed of approximately one quarter authors commentaries and three quarters cases and materials including academics articles and extracts from books and Law Commission papers this book takes account of a variety of theoretical perspectives including economic relational and empirical conceptions of the law This book facilitates the development of personal study skills and encourages readers to engage with the leading academic commentaries in the area Features to support your learning include chapter introductions to highlight the salient features under discussion and signpost topics to guide readers through this comprehensive text additional reading listed at the end of each chapter to assist further study and independent research clear and attractive text design that differentiates between the authors commentaries and the materials a companion website that provides skills materials and self assessment tasks to help further your learning The range of material covered straightforward style and targeted updates to this fourth edition make *Text Cases and Materials on Contract Law* a comprehensive and invaluable resource for all undergraduate and postgraduate students of contract law

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