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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.

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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
NPCC	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