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NCEXA6 - KIERA GRIFFIN

First English-language comparative volume to study where, how and why tort and crime interact. Covers common and civil law countries.
Das Buch enthält die Grundlagen der ökonomischen Analyse des Rechts und ihrer Anwendung auf das deutsche Zivilrecht. Es ist eine umfassende Darstellung dieser Forschungsrichtung, in der die Normen und Regelungsprobleme mit den Mitteln ökonomischer Theorie analysiert und bewertet werden. Wichtige Argumentationsfiguren der ökonomischen Analyse des Rechts werden in die zivilrechtliche Dogmatik eingebaut. Behandelt werden zentrale Bereiche des Zivilrechts wie das Delikts-, Vertrags-, und Sachenrecht, das Immaterialgüterrecht, Grundprobleme des Konkursrechts und die Grundzüge des Unternehmensrechts. Bei der Analyse rechtlicher Regeln des Gesetzesund Richterrechts wird gezeigt, inwieweit diesen ökonomische Kriterien zugrunde liegen und wie sie für die Rechtsanwendung und -fortbildung fruchtbar gemacht werden können.
There are many ways to approach the understanding of consciousness. Questions about these ways have occupied philosophers and metaphysicians for centuries. During the early growth of cognitive science the problem of consciousness re-

mained taboo, but an increasing number of studies have either implicitly or explicitly begun to bear on its nature. These have been inspired by a number of different different original questions, and focus on a variety of different empirical phenomena. Thus, studies of implicit memory, subliminal processing, strategic versus automatic processing, allocation of attention, and differences between information processes in the awake versus dreaming state all share a common assumption of a particular quality or state -- awakeness, awareness, alertness, namely consciousness -- that somehow can be distinguished from another type of state or states in which the subject is not aware of the information being processed. What distinguishes the cognitive psychological and cognitive neuroscience approach to the question of consciousness from that of philosophy and metaphysics is scientific methodology: a set of tools that permit the empirical study of a phenomenon in an objective and reproducible way. Recent developments in both the empirical and theoretical methodologies of these fields have made it possible to begin to study the phenomenon associated with -- if not directly underlying -- consciousness in a scientific fashion. This volume tries to resolve the difficulties associated with the scientific investigation of consciousness. The intent is to explore the extent to which consciousness can be the target of direct scientific inquiry, to get on the table some of the relevant work, and consider the degree to which this research can help inform our understanding of consciousness. It brings together a group of cognitive and neuroscientists to share relevant recent research in the fields of cognitive science and neuroscience and to determine whether any new strategies for the scientific pursuit of this question can be developed. A long-term goal is the development of a unified understanding of consciousness, scientific as well as philosophical perspectives. This volume takes the first step toward building the necessary local bridges.

Relationship Marketing: Management of Customer Relationships is essential reading for students studying relationship marketing at undergraduate or postgraduate level but will also prove invaluable to practitioners who wish to update their knowledge.

A great deal of economics is about law - the functioning of markets, property rights and their enforcement, financial obligations, and so forth - yet these legal aspects are almost never addressed in the academic study of economics. Conversely, the study and practice of law entails a significant understanding of economics, yet the drafting and administration of laws often ignore economic principle. The New Palgrave Dictionary of Economics and the Law is uniquely placed by the quality, breadth and depth of its coverage to address this need for building bridges. Drawn from the ranks of academics, professional lawyers, and economists in eight countries, the 340 contributors include world experts in their fields. Among them are Nobel laureates in economics and eminent legal scholars. First published in 1998 and now available in paperback for the first time, The New Palgrave Dictionary of Economics and the Law has established itself as a classic reference work in this important field.

About this book: Introduction to Hungarian Law provides a basic knowledge of legal concepts of Hungary, with special emphasis on practical issues. Hungary’s historical

connection to the European legal tradition has enabled the country's legal system to overcome the legal gap caused by political developments after the Second World War. This practical book, far from a simple second edition of the volume published more than ten years ago, details the full-fledged legal system that has been established prior to and since Hungary became a member of the European Union in 2004, and it contains information concerning the existing legal system. This book provides a comprehensive overview of all major areas of Hungarian law, from constitutional law and administrative law to business law and labour law. What's in this book: Designed for non-Hungarian practitioners encountering Hungarian law in the course of their work, expert local contributors provide, in English, thorough guidance on legal areas, including the following: constitutional law; administrative law; fiscal and financial law; taxation; family law, property law and succession law; contracts; torts; company law; labour law; copyright and patents; private international law; civil litigation; arbitration; and criminal law and procedure. How this will help you: Practising lawyers in every field, business people seeking international markets and academic researchers, government officials and students will find this volume to be of great practical value. It offers a quick and reliable way into any area of Hungarian law that they may be required to research in order to provide straight and simple answers according to the needs of those who may have to interact with the Hungarian legal system.

Written by leading experts in the field, each chapter in this book examines in depth a topic in law and economics. John Connor begins by describing and evaluating the results of his extensive survey of reports of cartel overcharges. Dennis Weisman models the price effects of mergers that not only increase concentration in the relevant market but also increase the merged firms' participation in other, complementary markets. Malcolm Coate and Mark Williams develop a superior method for calculating critical loss in markets that are relatively homogenous and competitive premerger. Zhiqi Chen surveys recent developments in economic theories of buyer power and creates a general framework for antitrust analysis. Finally Thomas J. Miceli and Kathern Segerson, given the difficulty of collecting damages after a long latency period, examine the desirability of granting toxic exposure victims an independent cause of action for medical monitoring at the time of exposure. They show that such a cause of action increase incentives for injurer care but only at the cost of greater litigation cost and the reluctance of courts to adopt such a proposed cause of action reflect their awareness of this trade-off.

With contributions by numerous experts

Die Fallsammlung richtet sich an Studierende, die sich mit den gesetzlichen Schuldverhältnissen beschäftigen - sowohl an Anfänger als auch an Fortgeschrittene und Examenskandidaten. Anhand von 30 Fällen, die typische Problemstellungen im Bereich des Deliktsrechts, Bereicherungsrechts und des Rechts der Geschäftsführung ohne Auftrag betreffen, wird den Studierenden die Umsetzung des in den Vorlesungen erworbenen abstrakten Wissens in der Anspruchsprüfung verdeutlicht. Anspruchsaufbau und Technik der Falllösung werden ausführlich erörtert. Alle Falllösungen sind im Gutachtenstil ausgearbeitet und mit Aufbauhinweisen versehen.

Die Fallbearbeitungen werden ergänzt durch vertiefende Hinweise, die den Studierenden ein Nacharbeiten der einzelnen Problemschwerpunkte erleichtern.

Introduction Intellectual property rights foster innovation. But if, as it surely does, “intellectual property” means not just intellectual property rules—the law of patents, copyrights, trademarks, designs, trade secrets, and unfair competition—but also intellectual property institutions—the courts, police, regulatory agencies, and collecting soc- ties that administer these rules—what are the respective roles of intellectual property rules and institutions in fostering creativity? And, to what extent do forces outside intellectual property rules and institutions—economics, culture, politics, history—also contribute to innovation? Is it possible that these other factors so overwhelm the impact of intellectual property regimes that it is futile to expect adjustments in intellectual property rules and institutions to alter patterns of inno- tion and, ultimately, economic development? It was to address these questions in the most dynamic region of the world today, Asia, that we invited leading country experts to contribute studies that not only summarize the current condition of intellectual property regimes in countries ranging in economic size from Cambodia to Japan, and in population from Laos to China, but that also describe the historical sources of these laws and institutions; the realities of intellectual property enforcement in the marketplace; and the political, economic, educational, and scientific infrastructures that sustain and direct inve- ment in innovative activity. A.

Dieses Buch liefert eine Einführung in die ökonomische Analyse des Rechts und deren Anwendung auf zentrale Fragen des Zivilrechts. Nach dem Erscheinen einer umfangreichen Fachliteratur scheint es geboten, die Grundlinien dieses Ansatzes und dessen Verwertbarkeit für praktische Fragen des deutschen Rechts darzustellen. Bei der Auswahl der Themen kam es uns nicht auf Vollständigkeit an, etwa darauf, alle Rechtsgebiete aus wohlfahrtsökonomischer Sicht zu ana lysieren. Vielmehr soll an wichtigen Ausschnitten und Beispielen des Zi vilrechts, insbesondere des Delikts- und Vertragsrechts die neue Sichtwei se der ökonomischen Analyse vorgeführt und die Leistungsfähigkeit des Ansatzes innerhalb der rechtswissenschaftlichen Dogmatik zum Ausdruck gebracht werden. Welche Wirkungen Rechtsnormen tatsächlich haben und welche Ziel vorstellungen für Rechtsgestaltung und vor allem auch Rechtsanwendun gen bestehen, soll in diesem Buch mittels wohlfahrtstheoretischer Analy sen untersucht werden. Damit wird nicht nur ein theoretisches Interesse verfolgt, sondern mehr noch die Umsetzung ökonomischer Folgenanalyse und Folgenbewertung bei der Lösung konkreter Rechtsprobleme und bei der Fortbildung des geltenden Rechts. Wir sind der Auffassung, daß die ökonomische Analyse nicht nur die Funktion rechtlicher Normen deutli cher macht, sondern auch Rechtslehre und Rechtsprechung unmittelbar und nachhaltig anzuregen und zu befruchten vermag und in Zukunft auch zunehmend beeinflussen wird.

From 'Justinian's Institutes' and 'Blackstone's Commentaries' to modern examples such as the 'American Law Institute's Restatements', this book offers the first comparative analysis of non-legislative codifications.

Das Lehrbuch bietet eine Einführung in eines der Kerngebiete des Zivilrechts: die

gesetzlichen Schuldverhältnisse. Das Gebiet wird anhand zahlreicher Beispielfälle beleuchtet, welche jeweils mit vertiefenden Hinweisen versehen sind. Daher eignet sich der Band sowohl für einen ersten Einstieg in die Rechtsmaterie als auch zum Nachschlagen und Wiederholen des Stoffs.
Das Lehrbuch will einerseits die Grundlagen des Deliktsrechts vermitteln und andererseits einen Beitrag zur Bewältigung der Anforderungen leisten, die dem Bearbeiter deliktsrechtlicher Klausuren gestellt sind. Im Mittelpunkt stehen deshalb die deliktsrechtlichen Anspruchsgrundlagen. Die Behandlung einer Anspruchsnorm folgt einem durchgängigen Dmtellungsschema. Ein leitenden Ausführungen zur "Funktion der Vorschrift" folgt jeweils ein Abschnitt "Tatbestandliche Voraussetzungen". Die wichtigsten Tatbestands elemente werden zunächst graphisch hervorgehoben und anschließend im einzelnen erörtert. Prägender Bestandteil der Problemdarstellung ist die starke Berücksichti gung der Rechtsprechung. Die Rechtsprechung hat das Deliktsrecht wie kaum ein anderes Rechtsgebiet des BGB geformt. Zahlreiche Fälle aus der Recht sprechung werden mit Sachverhalt und tragenden Entscheidungsgründen (soweit nötig in wörtlicher Wiedergabe) vorgestellt. Durch diese Einbezie hung der "Schauplätze" des Deliktsrechts soll eine lebendige und praxisnahe Präsentation des Stoffes erreicht werden. Das Lehrbuch erlangt dadurch aber gleichzeitig auch den Charakter einer Fallsammlung, in der die wichtigsten Entscheidungen zum Deliktsrecht enthalten sind. Von einer Darstellung des {sect} 839 BGB wurde abgesehen. Für ein richti ges Verständnis der Vorschrift ist die Kenntnis wichtiger öffentlich-rechtlicher Grundlagen und Bezüge unentbehrlich. Deren Behandlung hätte den Rahmen des Lehrbuchs gesprengt. In der Praxis des Haftungsrechts gewinnt die Gefährdungshaftung zunehmend an Bedeutung. Es schien deshalb gerecht fertigt, diesem Rechtsgebiet breiten Raum zu gewähren. Die Literaturhinweise berücksichtigen die Standardwerke zum Delikts recht, die Lehrbücher des Schuldrechts und die gängigen Kommentare. Vollständigkeit der Literaturangaben wurde im Hinblick auf den Charakter des Lehrbuchs nicht angestrebt. Rechtsprechung und Literatur sind bis zum 30.11.1994 berücksichtigt.
Gegenstand des Handbuchs ist die Frage nach der Relevanz des Konzepts der "Zivilen Sicherheit" für Recht und Rechtswissenschaft. Das ursprünglich nicht-juristischen Begriffsverwendungen entstammende Konzept ist geeignet, tradierte Diskussionen über „Neue Sicherheitsbegriffe“ oder die „Neue Sicherheitsarchitektur“ in andere Bahnen zu lenken. Dadurch findet es auch Eingang in rechtspolitische, verwaltungswissenschaftliche und technikorientierte Sicherheitsdiskurse. Das Handbuch geht zentral folgenden Fragen nach: Welche Relevanz erlangt das Konzept der Zivilen Sicherheit im Recht und in der Rechtswissenschaft? Inwieweit ist es geeignet, Rechtsanwendung und Rechtswissenschaft bei der Handhabung von Sicherheitsbegriffen neue Impulse zu verleihen? Inwieweit kann das Konzept die Auslegung von Sicherheits- oder sicherheitsbezogenen Begriffen im Recht verändern? Welche Herausforderungen stellt das – ggf. neu auszulegende – Recht an Maßnahmen zur Bestimmung, Herstellung und Gewährleistung von Sicherheit außerhalb des Rechts? Welche Rückwirkungen auf das Recht der Zivilen Sicherheit folgen aus dem internationalen Recht und dem Unionsrecht?

The rules presented in this volume of "Principles of European Law" deal with service contracts. The economic importance of service contracts within the European Union is enormous. The European Commission recently estimated that services account for some 50% of EU GDP and for some 60% of employment in the Union – though an exact figure is hard to determine given that many services are provided by manufacturers of goods. According to the European Commission, many services appear in official statistics as manufacturing activity, meaning that the role of services in the economy is often significantly underestimated.

The French law of torts or of extra-contractual liability is widely seen as exceptional. For long it was based on a mere five articles of the Civil Code of 1804, but on this foundation the courts and legal scholars have constructed liabilities for fault and strict liability of an extraordinary breadth and significance. While the rest of the general law of obligations (including contract) in the Civil Code was reformed in 2016 by executive ordonnance, this area was left aside, being the subject in 2017 of a proposal by the French Government for the legislative reform of the law of civil liability, a new legislative category to include both contractual and extra-contractual liability. This work considers important aspects of this developing area of French law in a series of essays by French lawyers and comparative lawyers working in French law and other civil law systems. In doing so, it provides insight into the doctrinal thinking and judgments of French lawyers as well as the possible directions in which this area of the law may be developed in the future.

Now available in paperback! European consumer law is the core of European civil law. In recent years, it has been subject to spectacular decisions by the Court of Justice of the European Union (CJEU), with significant consequences for Member States' law. This thoroughly updated second edition follows and analyzes this process in such important areas as unfair commercial practices, unfair terms, cross-border consumer protection, and product liability. The very concept of consumer and consumer protection has been subject to intense debate. Does European law limit itself to the 'informed consumer standard, ' or should the 'weaker' or even the 'vulnerable consumer standard' be given more attention? There has been legislation in the area of consumer rights in distance and off-premise contracts and, very recently, consumer alternative dispute resolution and online dispute resolution. Other projects are still in the pipeline, e.g. mortgage credit, while other projects are subject to heated controversy, namely the proposed optional Common European Sales Law, which will affect consumer law. The original team of authors-Hans W.-Micklitz, Norbert Reich, and Peter Rott-have been strengthened by the addition of Klaus Tonner. They have worked together to take a broad horizontal approach to the European consumer law acquis, thereby reflecting on the history, achievements, recent trends, and shortcomings of European law in this important field of law. The change from 'minimum' to 'full' or 'targeted harmonization' is critically analyzed, and the central role of the CJEU is documented and emphasized. (Series: Ius Communitatis, Vol. 5) [Subject: European Law, Consumer Law, Civil Law

"This publication is part of the International Max Planck Information System for Com-

parative Criminal Law, a project at the heart of the comparative legal research of the Max Planck Institute for Foreign and International Criminal Law in Freiburg/Germany. A primary objective of this project is to develop a universal meta-structure of criminal law that can serve as the basis for the organization of material, enable systematic comparisons, and further the development of an international criminal law doctrine. This meta-structure is also a prerequisite for analyzing the various approaches taken around the world to shared criminal law-related problems, identifying general legal principles, and drafting international model codes. A second goal of the project is to provide global access by means of a computer-based expert system to data from the participating legal systems in the form of country reports organized on the basis of the aforementioned universal meta-structure. Towards these ends, a pilot project was carried out to analyze, structure, and present the General Part of the criminal law in twelve legal systems. The results were published in five volumes from 2008 to 2010 (in German). In the meantime, the number of legal systems included in the study has grown considerably, with the help of contributions from researchers at the Max Planck Institute as well as from external research partners. First fruits of this expansion are presented here, with the publication of reports from an additional eleven countries: Australia, Bosnia and Herzegovina, Hungary, India, Iran, Japan, Romania, Russia, Switzerland, Uruguay, and the United States of America"--Provided by the publisher.

Pothier, Robert Joseph. A Treatise on Obligations, Considered in a Moral and Legal View. Translated from the French of Pothier. Translated by Francois-Xavier Martin. Newburn, N.C.: Martin & Ogden, 1802. 2 vols. in 1 book. Reprinted 1999 by The Lawbook Exchange, Ltd. With a new introduction by Warren M. Billings. LCCN 98-38360. ISBN 1-886363-62-5. Cloth. $95. * Pothier was a jurist and legal scholar who specialized in French and Roman law. In the decades that led up to the Civil War, this classic, highly-regarded civil law treatise was required reading for practitioners, scholars, as well as law students. Martin, a printer from New Bern, North Carolina, gained distinction for this translation, which he published in 1802. "The Treatise on Obligations was soon recognized as a major contribution to legal science, translated by Evans and frequently cited in British Courts." Walker 973. Marvin quotes Sir William Jones' introduction of Pothier's Obligations to the bar in England: "For my own part, I am so charmed with them, that if my undissembled fondness for the study of jurisprudence, were never to produce any greater benefit to the public, than barely the introduction of Pothier to the acquaintances of my countrymen, I should think that I had, in some measure, discharged the debt which every man, according to Lord Coke owes to his profession.": Marvin, Legal Bibliography 578.

This textbook deals with business criminal law from the perspective of Germany, Austria, Liechtenstein and Switzerland. It primarily addresses students in business and economics (master's programme) as well as business practitioners, but is also meant for lawyers and law students. As criminal law legislators exert considerable influence on economic life, raising and growing awareness in the area of criminal law seems compulsory for future man-

agers and executives. This textbook approaches the legal field less normatively and rather in a practical and entrepreneurial way. Its contents are based on the master level class "Business Criminal Law" at "MCI | The Entrepreneurial School" taught by the author. This textbook has been recommended and developed for university courses in Germany, Austria and Switzerland.

The Academy is an institution for the study and teaching of public and private international law and related subjects. Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law. The courses deal with the theoretical and practical aspects of the subject, including legislation and case law. All courses at the Academy are, in principle, published in the language in which they were delivered in the "Collected Courses of the" "Hague Academy of International Law," This volume containes: - General Course of Private International Law by F. VISCHER, Professor at the University of Basel; - Les consequences de l'integration europeenne sur le developpement du droit international prive;, par A.V.M. STRUYCKEN, professeur; a l'Universite; catholique de Nimege.

This book revisits, in a new light, some of the classic cases which constitute the foundations of the EU legal order and is timed to celebrate the 50th anniversary of the Rome Treaty establishing a European Economic Community. Its broader purpose, however, is to discuss the future of the EU legal order by examining, from a variety of different perspectives, the most important judgments of the ECJ which established the foundations of the EU legal order. The tone is neither necessarily celebratory nor critical, but relies on the viewpoint of the distinguished line-up of contributors - drawn from among former and current members of the Court (the view from within), scholars from other disciplines or lawyers from other legal orders (the view from outside), and two different generations of EU legal scholars (the classics revisit the classics and a view from the future). Each of these groups will provide a different perspective on the same set of selected judgments. In each short essay, questions such as 'what would have EU law been without this judgment of the Court? what factors might have influenced it?; did the judgment create expectations which were not fully fulfilled?' and so on, are posed and answered. The result is a profound, wide-ranging and fresh examination of the 'founding cases' of EU law.

The variety, pace, and power of technological innovations that have emerged in the 21st Century have been breathtaking. These technological developments, which include advances in networked information and communications, biotechnology, neurotechnology, nanotechnology, robotics, and environmental engineering technology, have raised a number of vital and complex questions. Although these technologies have the potential to generate positive transformation and help address 'grand societal challenges', the novelty associated with technological innovation has also been accompanied by anxieties about their risks and destabilizing effects. Is there a potential harm to human health or the environment? What are the ethical implications? Do this innovations erode of antagonize values such as human dignity, privacy, democracy, or other norms underpinning existing bodies of law and regulation? These technological developments have therefore spawned a nascent but growing body of 'law and technology' scholarship,

broadly concerned with exploring the legal, social and ethical dimensions of technological innovation. This handbook collates the many and varied strands of this scholarship, focusing broadly across a range of new and emerging technology and a vast array of social and policy sectors, through which leading scholars in the field interrogate the interfaces between law, emerging technology, and regulation. Structured in five parts, the handbook (I) establishes the collection of essays within existing scholarship concerned with law and technology as well as regulatory governance; (II) explores the relationship between technology development by focusing on core concepts and values which technological developments implicate; (III) studies the challenges for law in responding to the emergence of new technologies, examining how legal norms, doctrine and institutions have been shaped, challenged and destabilized by technology, and even how technologies have been shaped by legal regimes; (IV) provides a critical exploration of the implications of technological innovation, examining the ways in which technological innovation has generated challenges for regulators in the governance of technological development, and the implications of employing new technologies as an instrument of regulatory governance; (V) explores various interfaces between law, regulatory governance, and new technologies across a range of key social domains.

Since its first appearance in 1986 this book has won uniform praise from many of the world's leading comparatists, has been acclaimed by senior judges, and has been cited by the courts of many countries. This new edition of the work, substantially rewritten and systematically updated, contains over 150 leading judgments, most translated in their entirety, along with references to over 2,000 other decisions from Germany and the common law world. While the book remains an ideal tool for teaching comparative torts and comparative methodology, the fact that it has been extensively rewritten and enlarged now also makes it an indispensable source of inspiration for those with a professional interest in tort litigation and tort reform. Topics discussed include economic loss, psychiatric injury, wrongful birth, life and sterilization cases, products liability, traffic accidents, accidents at work, environmental liability and compensation for personal injuries and death.

The Draft Common Frame of Reference (DCFR) is just published. Now the creation of the final Common Frame of Reference (CFR) is one of the most important issues in the field of European Private Law. The volume discusses the key question as to what extent the CFR can and should reflect existing EC Contract Law, and to what extent the DCFR has already incorporated the acquis communautaire. The contributions to this volume try to provide answers to this question by analyzing different controversial areas such as the conclusion and content of the contract (pre-contractual duties, non-discrimination or withdrawal), non-performance, remedies, damages and the relation to International Private Law.

Die aktuelle Rechtspraxis der aktienrechtlichen Vorstandshaftung lautet: Der Vorstand haftet streng, aber selten. Beide Befunde führen dabei aus ökonomischer Sicht zu Fehlanreizen, sodass die Organhaftung nicht die ihr zugedachte Präventionswirkung entfalten kann. Michael Dose schlägt vor, diese Fehlanreize durch drei

Rechtsänderungen zu korrigieren. Zunächst sollte die Haftungsdurchsetzung durch eine Reform der Aktionärsklage nach § 148 AktG gestärkt werden. Im Gegenzug muss die Vorstandshaftung summenmäßig auf den Betrag der D&O-Versicherung begrenzt werden. Das erlaubt schließlich auch, die eigenständige Versicherung des Selbstbehalts wenigstens teilweise zu verbieten.

Dieses Lehrbuch vermittelt Studenten und Referendaren durch eine inhaltlich kurz gefasste, von keiner einzigen Fußnote unterbrochenen Darstellung das gesamte für das Studium und für die beiden Examina erforderliche zivilrechtliche Wissen und schult zugleich das Verständnis für die Zusammenhänge. Eingearbeitet sind über 800 Fälle mit exakt gegliederten Lösungsskizzen. Die Gliederung des Buches orientiert sich an den Aufbauerfordernissen einer Fallbearbeitung. In den Text integrierte Wiederholungen festigen ständig das Wissen. Das Buch unterscheidet sich von anderer Ausbildungsliteratur dadurch, dass es weitestgehend auf die aufwendige Darstellung wissenschaftlicher Kontroversen verzichtet und entsprechend der Examenswirklichkeit die Bedeutung des Gesetzes für die Fallbearbeitung in den Mittelpunkt stellt.

First published in 1999. Routledge is an imprint of Taylor & Francis, an informa company.

Wie kaum ein anderes Rechtsgebiet des BGB sind das Deliktsrecht und das Schadensersatzrecht von der Rechtsprechung geprägt. Darum werden die wichtigsten Entscheidungen mit Sachverhalt und Entscheidungsgründen berücksichtigt. Damit bietet das Lehrbuch eine lebendige Erörterung des Stoffes. Rechtsprechung und Literatur wurden gegenüber der Vorauflage umfassend ausgewertet und aktualisiert.

This book deepens the understanding of the right to specific performance in contract law. It brings together 16 contributions on various aspects of this important action and on its place in the system of contractual remedies. The volume integrates insights from a more classical ('dogmatic') approach with comparative, historical, and economic analysis. It includes overviews of the national law of the Netherlands, Belgium, Germany, Scotland, and South Africa, and of the international regimes created by the United Nations Convention on Contracts for the International Sale of Goods (1980), Unidroit Principles, Principles of European Contract Law, and the European Directive 1999/44. In addition, various aspects of specific performance in these and other jurisdictions are considered. These aspects include inter alia judicial procedure, the duty to carry on negotiations, and the enforcement of side-letters.