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Comparative Contract Law

Edited by
Pier Giuseppe Monateri



RESEARCH HANDBOOKS IN COMPARATIVE LAW

Series Editors: **Francesco Parisi** and **Tom Ginsburg**

Comparative Contract Law

'This is a cracking collection of essays, emphasising that comparative law is not simply a matter of comparing jurisdictions, but of tracing history and crossing disciplines too. Comparative Contract Law has something for everybody: the legal theorist, the legal historian, the literary jurist, the international lawyer and the common law contract lawyer. Professor Monateri and his contributors have done the discipline of critical comparative law proud. An essential read for anyone interested in exploring the intellectual parameters of contract law, past and present.'

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This comprehensive book offers a thoughtful survey of theories, issues and cases in order to reassess the present vision of contract law. 'Comparative' refers both to the specific kind of methodologies implied and to the polyphonic perspectives collected on the main topics, with the aim of superseding the conventional forms of representation. In this perspective, the work engages a critical search for the fault lines, which cross traditions of thought and globalized landscapes.

Notwithstanding contract's enduring presence and the technicalities devoted to managing clauses and interpretation, the inquiry on the proper nature of contract and its status and collocation within private legal taxonomies continues to be a controversial exercise. Moving from a vast array of dissimilar inclinations, which have historically produced heterogeneous maps of law, this book is built around the genealogies of contractual theoretical thinking; the contentious relationship between private governance and normative regulations; the competing styles used to stage contract law; the concurring opinions expressed within the domain of other disciplines, such as literature and political theory; the tensions between global context and local frames; and the movable thresholds between canonical expressions and heterodox constructions.

For its careful analysis and the wide range of references employed, *Comparative Contract Law* will be a tremendous resource for academics, legal scholars and interdisciplinary experts as well as judges and law practitioners.

Pier Giuseppe Monateri is Professor of Comparative Law in the Department of Law at the University of Turin, Italy.

Edward Elgar
PUBLISHING

The Lypiatts, 15 Lansdown Road, Cheltenham, Glos GL50 2JA, UK
Tel: + 44 (0) 1242 226934 Fax: + 44 (0) 1242 262111 Email: info@e-elgar.co.uk

William Pratt House, 9 Dewey Court, Northampton, MA 01060, USA
Tel: +1 413 584 5551 Fax: +1 413 584 9933 Email: elgarinfo@e-elgar.com

www.e-elgar.com www.elgaronline.com

ISBN 978-1-84980-451-6



9 781849 804516

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University of Turin, Italy*

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PUBLISHING

Cheltenham, UK • Northampton, MA, USA

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Published by
Edward Elgar Publishing Limited
The Lypiatts
15 Lansdown Road
Cheltenham
Glos GL50 2JA
UK

Edward Elgar Publishing, Inc.
William Pratt House
9 Dewey Court
Northampton
Massachusetts 01060
USA

A catalogue record for this book
is available from the British Library

Library of Congress Control Number: 2016944271

This book is available electronically in the **Elgaronline**
Law subject collection
DOI 10.4337/9781785369179



ISBN 978 1 84980 451 6 (cased)
ISBN 978 1 78536 917 9 (eBook)

Typeset by Columns Design XML Ltd, Reading
Printed and bound in Great Britain by TJ International Ltd, Padstow

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Series Editors: Francesco Parisi, *Oppenheimer Wolff and Donnelly Professor of Law, University of Minnesota, USA and Professor of Economics, University of Bologna, Italy* and Tom Ginsburg, *Professor of Law, University of Chicago, USA*

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Comparative Contract Law
Edited by Pier Giuseppe Monateri

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