

# CONTENTS

.....

<i>Notes on the Contributors</i>	xi
<i>Abbreviations</i>	xv

## INTRODUCTION

Comparative Law before the <i>Code Napoléon</i>	3
CHARLES DONAHUE	

## PART I THE DEVELOPMENT OF COMPARATIVE LAW IN THE WORLD

1. Development of Comparative Law in France	35
BÉNÉDICTE FAUVARQUE-COSSON	
2. Development of Comparative Law in Germany, Switzerland, and Austria	69
INGEBORG SCHWENZER	
3. Development of Comparative Law in Italy	107
ELISABETTA GRANDE	
4. Development of Comparative Law in Great Britain	131
JOHN W. CAIRNS	
5. Development of Comparative Law in the United States	175
DAVID S. CLARK	
6. Development of Comparative Law in Central and Eastern Europe	215
ZDENĚK KÜHN	

7. Development of Comparative Law in East Asia 237  
ZENTARO KITAGAWA
8. Development of Comparative Law in Latin America 261  
JAN KLEINHEISTERKAMP

## PART II APPROACHES TO COMPARATIVE LAW

9. Comparative Law and Comparative Knowledge 305  
NILS JANSEN
10. The Functional Method of Comparative Law 339  
RALF MICHAELS
11. Comparative Law: Study of Similarities or Differences? 383  
GERHARD DANNEMANN
12. Comparative Legal Families and Comparative Legal Traditions 421  
H. PATRICK GLENN
13. Comparative Law as the Study of Transplants and Receptions 441  
MICHELE GRAZIADEI
14. Comparative Law and the Study of Mixed Legal Systems 477  
JACQUES DU PLESSIS
15. Comparative Law and its Influence on National Legal Systems 513  
JAN M. SMITS
16. Comparative Law and the Europeanization of Private Law 539  
REINHARD ZIMMERMANN
17. Globalization and Comparative Law 579  
HORATIA MUIR WATT
18. Comparative Law and the Islamic (Middle Eastern)  
Legal Culture 609  
CHIBLI MALLAT

---

19. Comparative Law and African Customary Law	641
T. W. BENNETT	
20. Comparative Law and Language	675
VIVIAN GROSSWALD CURRAN	
21. Comparative Law and Legal Culture	709
ROGER COTTERRELL	
22. Comparative Law and Religion	739
HAROLD J. BERMAN	
23. Comparative Law and Legal History	753
JAMES GORDLEY	
24. Comparative Law and Socio-legal Studies	775
ANNELISE RILES	
25. Comparative Law and Critical Legal Studies	815
UGO MATTEI	
26. Comparative Law and Economic Analysis of Law	837
FLORIAN FAUST	

### PART III SUBJECT AREAS

27. Sources of Law and Legal Method in Comparative Law	869
STEFAN VOGENAUER	
28. Comparative Contract Law	899
E. ALLAN FARNSWORTH	
29. Comparative Sales Law	937
PETER HUBER	
30. Unjustified Enrichment in Comparative Perspective	969
DANIEL VISSER	
31. Comparative Tort Law	1003
GERHARD WAGNER	

32. Comparative Property Law SJEF VAN ERP	1043
33. Comparative Succession Law MARIUS J. DE WAAL	1071
34. Comparative Family Law HARRY D. KRAUSE	1099
35. Comparative Labour Law MATTHEW W. FINKIN	1131
36. Comparative Company Law KLAUS J. HOPT	1161
37. Comparative Antitrust Law DAVID J. GERBER	1193
38. Comparative Constitutional Law MARK TUSHNET	1225
39. Comparative Administrative Law JOHN S. BELL	1259
40. Comparative Criminal Law MARKUS DIRK DUBBER	1287
41. Comparative Civil Procedure JOACHIM ZEKOLL	1327
42. Comparative Law and Private International Law MATHIAS REIMANN	1363
<i>Index</i>	1397