

LAWSG072: Comparative Contract Law: Florian Wagner-Von-Papp

View Online



A. England & Wales, n.d.

A. Structure of the Seminar, n.d.

Alan Schwartz, 'The Case for Specific Performance', *The Yale Law Journal*, 89.2 (1979), pp. 271-306 <<http://www.jstor.org/stable/795838>>

Alan Schwartz and Robert E. Scott, 'Precontractual Liability and Preliminary Agreements', *Harvard Law Review*, 120.3 (2007), pp. 661-707 <<http://www.jstor.org/stable/40041983>>

Anthony T. Kronman, 'Specific Performance', *The University of Chicago Law Review*, 45.2 (1978), pp. 351-82 <<http://www.jstor.org/stable/1599168>>

Arthur T. von Mehren, 'Civil-Law Analogues to Consideration: An Exercise in Comparative Analysis', *Harvard Law Review*, 72.6 (1959), pp. 1009-78 <<http://www.jstor.org/stable/1337951>>

Atiyah, P. S. and Summers, Robert S., *Form and Substance in Anglo-American Law: A Comparative Study of Legal Reasoning, Legal Theory, and Legal Institutions* (Clarendon Press, 1987)

B. S. Markesinis, 'Cause and Consideration: A Study in Parallel', *The Cambridge Law Journal*, 37.1 (1978), pp. 53-75 <<http://www.jstor.org/stable/4506061>>

B. US Contract Law, n.d.

Beale, H. G., *Cases, Materials and Text on Contract Law*, 2nd ed (Hart, 2010), *Ius Commune* casebooks for the common law of Europe

—, *Cases, Materials and Text on Contract Law*, 2nd ed (Hart, 2010), *Ius Commune* casebooks for the common law of Europe

—, *Cases, Materials and Text on Contract Law*, 2nd ed (Hart, 2010), *Ius Commune* casebooks for the common law of Europe

—, *Cases, Materials and Text on Contract Law*, 2nd ed (Hart, 2010), *Ius Commune* casebooks for the common law of Europe

—, *Cases, Materials and Text on Contract Law*, 2nd ed (Hart, 2010), *Ius Commune*

casebooks for the common law of Europe

Beale, Hugh, 'The Future of the Common Frame of Reference', *European Review of Contract Law*, 3.3 (2007), pp. 257–76

<<http://www.degruyter.com/view/j/ercl.2007.3.issue-3/ercl.2007.019/ercl.2007.019.xml>>
Beatson, Jack, and Daniel Friedman (eds), *Good Faith and Fault in Contract Law* (Oxford University Press, 1997), doi:10.1093/acprof:oso/9780198265788.001.0001

Brownsword, Roger, *Contract Law: Themes for the Twenty-First Century*, 2nd ed (Oxford University Press, 2006)

—, *Contract Law: Themes for the Twenty-First Century*, 2nd ed (Oxford University Press, 2006)

Burrows, Andrew, 'Construction and Rectification', in *Contract Terms* (Oxford University Press, 2007), *The Oxford-Norton Rose Law Colloquium*, pp. 77–100

'Chapter 10: Law of Contracts', in *Business Transactions in Germany, Volume 1* (n.d.)
<http://encore.ulrls.lon.ac.uk/iii/encore/record/C__Rb2187595__SBusiness%2520Transactio%2520in%2520Germany__Orightresult__X5?lang=eng&suite=cobalt>

Chodosh, Hiram E., 'Comparing Comparisons: In Search of Methodology', *Iowa Law Review*, 84 (1998)

<<http://www.heinonline.org/HOL/Page?page=1025&handle=hein.journals%252F84&collection=journals#1039>>

'Commission Proposal for a Regulation on a Common European Sales Law COM (2011) 635 Final', n.d.

<<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0635:FIN:en:PDF>>

'Comparative Contract Law', in *The Oxford Handbook of Comparative Law* (Oxford University Press, 2006), pp. 899–935

<https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14485557470004761&institutionId=4761&customerId=4760&VE=true>

'Comparative Law: Study of Similarities or Differences?', in *The Oxford Handbook of Comparative Law* (Oxford University Press, 2006), pp. 383–419

<https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14485557470004761&institutionId=4761&customerId=4760&VE=true>

Contracts (Rights of Third Parties) Act 1999, n.d.

<http://www.legislation.gov.uk/ukpga/1999/31/pdfs/ukpga_19990031_en.pdf>

Course Information:, n.d.

Dawson, John Philip, *The Oracles of the Law* (Greenwood Press, 1968)

Draft Common Frame of Reference. Outline Edition, n.d.

<https://www.law.kuleuven.be/web/mstorme/2009_02_DCFR_OutlineEdition.pdf>

E. Allan Farnsworth, 'Precontractual Liability and Preliminary Agreements: Fair Dealing and Failed Negotiations', *Columbia Law Review*, 87.2 (1987), pp. 217–94
<<http://www.jstor.org/stable/1122561>>

—, 'Promises to Make Gifts', *The American Journal of Comparative Law*, 43.3 (1995), pp. 359–78 <<http://www.jstor.org/stable/840642>>

E. Questions , n.d.

Eidenmuller, H., and others, 'The Common Frame of Reference for European Private Law--Policy Choices and Codification Problems', *Oxford Journal of Legal Studies*, 28.4 (2008), pp. 659–708, doi:10.1093/ojls/gqn031

'European Parliament's Draft Report on the Green Paper', n.d.
<<http://www.europarl.europa.eu/sides/getDoc.do?type=COMPARL&mode=XML&language=EN&reference=PE456.886>>

Farnsworth, E. Allan, *Contracts*, 4th ed (Aspen Publishers, 2004)

—, *Contracts*, 4th ed (Aspen Publishers, 2004)

—, *Contracts*, 4th ed (Aspen Publishers, 2004)

—, *Contracts*, 4th ed (Aspen Publishers, 2004)

—, *Contracts*, 4th ed (Aspen Publishers, 2004)

—, *United States Contract Law*, Rev. ed (Juris Pub, 1999)

— and Sheppard, Steve, *An Introduction to the Legal System of the United States*, 4th ed (Oxford University Press, 2010)

Ferrari, Franco, 'Defining the Sphere of Application of the 1994 Unidroit Principles of International Commercial Contracts', *Tulane Law Review*, 69 (1994)
<<http://www.heinonline.org/HOL/Page?handle=hein.journals/tulr69&id=1241&collection=journals&index=journals/tulr#1241>>

Fletcher, George P. and Sheppard, Steve, *American Law in a Global Context: The Basics* (Oxford University Press, 2004)

Foster, Nigel G. and Sule, Satish, *German Legal System and Laws*, 4th ed (Oxford University Press, 2010)

Frankenberg, Gunter, 'Critical Comparisons: Re-Thinking Comparative Law', *Harvard International Law Journal*, 26 (1985)
<<http://www.heinonline.org/HOL/Page?handle=hein.journals/hilj26&id=421&collection=journals&index=journals/hilj#421>>

Friedrich Kessler and Edith Fine, 'Culpa in Contrahendo, Bargaining in Good Faith, and Freedom of Contract: A Comparative Study', *Harvard Law Review*, 77.3 (1964), pp. 401–49
<<http://www.jstor.org/stable/1339028>>

'German Civil Code BGB', n.d.

<http://www.gesetze-im-internet.de/englisch_bgb/index.html>

Glenn, 'Comparative Legal Families and Comparative Legal Traditions Law', in *The Oxford Handbook of Comparative Law* (Oxford University Press, 2006), pp. 421-40

<https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14485557470004761&institutionId=4761&customerId=4760&VE=true>

Gordley, James and Von Mehren, Arthur Taylor, *An Introduction to the Comparative Study of Private Law: Readings, Cases, Materials* (Cambridge University Press, 2006)

— and Von Mehren, Arthur Taylor, *An Introduction to the Comparative Study of Private Law: Readings, Cases, Materials* (Cambridge University Press, 2006)

— and Von Mehren, Arthur Taylor, *An Introduction to the Comparative Study of Private Law: Readings, Cases, Materials* (Cambridge University Press, 2006)

— and Von Mehren, Arthur Taylor, *An Introduction to the Comparative Study of Private Law: Readings, Cases, Materials* (Cambridge University Press, 2006)

Green Paper on Policy Options July 2010, n.d.

<<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0348:FIN:EN:PDF>>

Hans, 'EC Law on the Formation of Contract – from the Common Frame of Reference to the "Blue Button"', *European Review of Contract Law*, 3.3 (n.d.), pp. 332-49

<<http://www.degruyter.com/view/j/ercl.2007.3.issue-3/ercl.2007.023/ercl.2007.023.xml>>

'Harmonisation of European Contract Law: The State We Are In', in *The Harmonisation of European Contract Law: Implications for European Private Laws, Business and Legal Practice* (Hart, 2006), *Studies of the Oxford Institute of European and Comparative Law*, pp. 5-29

'House of Lords European Committee, Session 2008-09, Twelfth Report: "European Contract Law: The Draft Common Frame of Reference"', n.d.

<<http://www.publications.parliament.uk/pa/ld200809/ldselect/lddeucom/95/9502.htm>>

Jansen, 'Comparative Law and Comparative Knowledge', in *The Oxford Handbook of Comparative Law* (Oxford University Press, 2006)

<https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14485557470004761&institutionId=4761&customerId=4760&VE=true>

John C. Reitz, 'How to Do Comparative Law', *The American Journal of Comparative Law*, 46.4 (1998), pp. 617-36 <<http://www.jstor.org/stable/840981>>

Lando, Henrik, *The Myth Of Specific Performance in Civil Law Countries*, 2003

<<http://law.bepress.com/cgi/viewcontent.cgi?article=1014&context=alea>>

Linarelli, John, 'Economics of Uniform Laws and Uniform Lawmaking, The', *Wayne Law Review*, 48 (2002)

<<http://www.heinonline.org/HOL/Page?handle=hein.journals/waynlr48&id=1399&collectio>>

n=journals&index=journals/waynlr#1399>

Lon L. Fuller, 'Consideration and Form', *Columbia Law Review*, 41.5 (1941), pp. 799–824
<<http://www.jstor.org/stable/1117840>>

Markesinis, B. S., Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

—, Unberath, Hannes, and Johnston, Angus Charles, *The German Law of Contract: A Comparative Treatise*, 2nd ed (Hart, 2006)

Maxeiner, James R., 'Standard-Terms Contracting in the Global Electronic Age: European Alternatives', *Yale Journal of International Law*, 28 (2003)
<<http://www.heinonline.org/HOL/Page?handle=hein.journals/yjil28&id=119&collection=journals&index=journals/yjil#119>>

McKendrick, Ewan, *Contract Law*, 10th ed (Palgrave Macmillan, 2013), Palgrave Macmillan law masters

—, *Contract Law*, 10th ed (Palgrave Macmillan, 2013), Palgrave Macmillan law masters

—, *Contract Law*, 10th ed (Palgrave Macmillan, 2013), Palgrave Macmillan law masters

—, *Contract Law*, 10th ed (Palgrave Macmillan, 2013), Palgrave Macmillan law masters

—, *Contract Law*, 10th ed (Palgrave Macmillan, 2013), Palgrave Macmillan law masters

—, *Contract Law*, 10th ed (Palgrave Macmillan, 2013), Palgrave Macmillan law masters

—, *Contract Law*, 10th ed (Palgrave Macmillan, 2013), Palgrave Macmillan law masters

Michaels, 'The Functional Method of Comparative Law', in *The Oxford Handbook of Comparative Law* (Oxford University Press, 2006)

<https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14485557470004761&institutionId=4761&customerId=4760&VE=true>

Peel, Edwin and Treitel, G. H., *The Law of Contract*, 13th ed (Sweet & Maxwell, 2011)

— and Treitel, G. H., *The Law of Contract*, 13th ed (Sweet & Maxwell, 2011)

— and Treitel, G. H., *The Law of Contract*, 13th ed (Sweet & Maxwell, 2011)

— and Treitel, G. H., *The Law of Contract*, 13th ed (Sweet & Maxwell, 2011)

Peter, *The CISG : A New Textbook for Students and Practitioners* (2007)

<http://encore.ulrls.lon.ac.uk/iii/encore/record/C__Rb3066948__Sa%2520new%2520textbook%2520for%2520students%2520and%2520practitioners__Orightresult__X4?lang=eng&suite=cobalt>

Review by: Jonathan Hill, 'Comparative Law, Law Reform and Legal Theory', *Oxford Journal of Legal Studies*, 9.1 (1989), pp. 101–15 <<http://www.jstor.org/stable/764340>>

Robbers, Gerhard, *An Introduction to German Law*, 4th ed (Nomos, 2006), *The legal systems of the European states*

Rodolfo Sacco, 'Legal Formants: A Dynamic Approach to Comparative Law (Installment I of II)', *The American Journal of Comparative Law*, 39.1 (1991), pp. 1–34

<<http://www.jstor.org/stable/840669>>

Roscoe Pound, 'Comparative Law in Space and Time', *The American Journal of Comparative Law*, 4.1 (1955), pp. 70–84 <<http://www.jstor.org/stable/837045>>

—, 'WHAT MAY WE EXPECT FROM COMPARATIVE LAW?', *American Bar Association Journal*, 22.1 (1936), pp. 56–60 <<http://www.jstor.org/stable/25712017>>

Scott, Robert E., 'Hoffman v. Red Owl Stores and the Myth of Precontractual Reliance',

Ohio State Law Journal, 68 (2007)

<<http://www.heinonline.org/HOL/Page?handle=hein.journals/ohslj68&id=83&collection=journals&index=journals/ohslj#83>>

Statutes/Proposals/Restatements Etc, n.d.

Stefan, 'Interpretation of Contracts: Concluding Comparative Observations', in Contract Terms (Oxford University Press, 2007), The Oxford-Norton Rose Law Colloquium, pp. 123–50

Steven Shavell, 'Damage Measures for Breach of Contract', The Bell Journal of Economics, 11.2 (1980), pp. 466–90 <<http://www.jstor.org/stable/3003374>>

The Action Plan, n.d.

<<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2003:0068:FIN:EN:PDF>>

'The Second Progress Report : Commission 25/7/2007, COM(2007)447 Final', n.d.

<<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2007:0447:FIN:EN:PDF>>

'Volume 7, Chapter 9: The Formation of Contracts', in International Encyclopedia of Comparative Law, Volume 7 (Mohr Siebeck, n.d.)

Wagner, Gerhard, 'The Economics of Harmonisation: The Case of Contract Law', ERA Forum, 3.2 (2002), pp. 77–87, doi:10.1007/BF02817589

Wagner-von Papp, F., 'European Contract Law: Are No Oral Modification Clauses Not Worth the Paper They Are Written On?', Current Legal Problems, 63.1 (2010), pp. 511–96, doi:10.1093/clp/63.1.511

Weatherill and Vogenauer, 'The European Community's Competence to Pursue the Harmonisation of Contract Law - an Empirical Contribution to the Debate', in The Harmonisation of European Contract Law: Implications for European Private Laws, Business and Legal Practice (Hart, 2006), Studies of the Oxford Institute of European and Comparative Law, pp. 105–48

Whittaker, Simon, 'Draft Common Frame of Reference: An Assessment - Ministry of Justice', n.d.

<<http://webarchive.nationalarchives.gov.uk/20110201125714/http://www.justice.gov.uk/publications/eu-contract-law-common-frame-reference.htm>>

Zimmerman, R., 'Comparative Law and the Europeanization of Private Law', in The Oxford Handbook of Comparative Law (Oxford University Press, 2006)

<https://ucl.primo.exlibrisgroup.com/view/action/uresolver.do?operation=resolveService&package_service_id=14485557470004761&institutionId=4761&customerId=4760&VE=true>

Zimmermann, Reinhard and Whittaker, Simon, Good Faith in European Contract Law (Cambridge University Press, 2000), Cambridge studies in international and comparative law

Zweigert, Konrad and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon

Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)

— and Kötz, Hein, Introduction to Comparative Law, 3rd rev. ed (Clarendon Press, 1998)