



Comparative Private Law

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Looking beyond the border of one's own legal system is to embark on a journey with the promise of gaining knowledge of foreign legal systems, as well as a fresh perspective one's home system. This book guides students, academics, and lawyers on this journey, and shows that ideas developed elsewhere can be a treasure trove of inspiration for national courts, legislators, and legal practitioners. A particular concern for the book is to include non-Western countries in this endeavor. The first part of the book looks at the origins, purposes, and methods of comparative law, and it discusses the process of transplanting and receiving legal concepts, along with the potential pitfalls involved, using examples stretching from the reception of Roman law in Europe to the comparatively new phenomenon of European private law. The second part considers select legal systems, starting with the two most influential legal traditions, the civil law and the common law. The book examines their historical background and impact, the main sources of law, the predominant methods of dispute resolution, and the players shaping them. Then, it moves on to the legal systems in East Asia that are playing an increasingly important role in today's world, namely China, Japan, and South Korea. The book also takes a close look at those legal systems shaped by a major world religion, in particular Saudi Arabia, the United Arab Emirates, and Israel. It closes with an Annex on how to write a thesis using the comparative law method. [Subject: Comparative Law, Private Law]

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