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legal thinking in civil law countries / Jan M. Smits -- Comparative law and the internationalisation of law in Europe / Mireille Delmas-Marty -- Public law in Europe : caught between the national and sub-national and the European? / John Bell -- New challenges in public and private international legal theory : can comparative scholarship help? / Horatia Muir Watt -- Abridged or forbidden speech : how can speech be regulated through speech? / Francois Rigaux -- Legisprudence of comparative law / Luc J. Wintgens -- Rawls' political conception of rights and liberties : an illiberal but pragmatic approach to the problems of harmonisation and globalisation / Paul de Hert and Serge Gutwirth -- Family trees for legal systems : towards a contemporary approach / Esin Orucu -- ; A common legal language in Europe? / Anne Lise Kjær

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## Sommario/riassunto

Whereas many modern works on comparative law focus on various aspects of legal doctrine the aim of this book is of a more theoretical kind - to reflect on comparative law as a scholarly discipline, in particular at its epistemology and methodology. Thus, among its contents the reader will find: a lively discussion of the kind of 'knowledge' that is, or could be, derived from comparative law; an analysis of 'legal families' which asks whether we need to distinguish different 'legal families' according to areas of law; essays which ask what is the appropriate level for research to be conducted - the technical 'surface level', a 'deep level' of ideology and legal practice, or an 'intermediate level' of other elements of legal culture, such as the socio-economic and historical background of law. One part of the book is devoted to questioning the identification and demarcation of a 'legal system' (and the clash between 'legal monism' and 'legal pluralism') and the definition of the European legal orders, sub-State legal orders, and what is left of traditional sovereign State legal systems; while a final part explores the desirability and possibility of developing a basic

common legal language, with common legal principles and legal concepts and/or a legal meta-language, which would be developed and used within emerging European legal doctrine. All the papers in this collection share the common goal of seeking answers to fundamental, scientific problems of comparative research that are too often neglected in comparative scholarship

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