Record Nr. UNINA9910790488103321 Practice and theory in comparative law / / edited by Maurice Adams and **Titolo** Jacco Bomhoff [[electronic resource]] Pubbl/distr/stampa Cambridge:,: Cambridge University Press,, 2012 **ISBN** 1-139-53992-2 1-107-22866-2 1-283-52198-9 1-139-52711-8 9786613834430 1-139-52591-3 1-139-53177-8 0-511-86330-6 1-139-53058-5 1-139-52830-0 Descrizione fisica 1 online resource (ix, 342 pages) : digital, PDF file(s) Disciplina 340/.2 Soggetti Comparative law Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Title from publisher's bibliographic system (viewed on 05 Oct 2015). Note generali Includes bibliographical references and index. Nota di bibliografia Comparing law: practice and theory / Maurice Adams and Jacco Nota di contenuto Bomhoff -- Reflections on comparative law methodology: getting inside contract law / Catherine Valcke -- Reasoning with previous decisions / Jan Komarek -- Comparing legal argument / Jacco Bomhoff -- In search of system neutrality: methodological issues in the drafting of European contract law rules / Gerhard Dannemann -- Comparative law and global regulatory convergence: the example of competition law / David J. Gerber -- Reflections on comparative method in European constitutional law / Monica Claes and Maartje de Visser --Rethinking methods in European private law / Jan M. Smits --Transnational comparisons: theory and practice of comparative law as a critique of global governance / Peer Zumbansen -- Comparative constitutional compliance: notes towards a research agenda /

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Sommario/riassunto

What does doing comparative law involve? Too often, explicit methodological discussions in comparative law remain limited to the level of pure theory, neglecting to test out critiques and recommendations on concrete issues. This book bridges this gap between theory and practice in comparative legal studies. Essays by both established and younger comparative lawyers reflect on the methodological challenges arising in their own work and in work in their area. Taken together, they offer clear recommendations for, and critical reflection on, a wide range of innovative comparative research projects.