Record Nr.	UNINA9910822496803321
Titolo	The enforceability of promises in European contract law / / edited by James Gordley
Pubbl/distr/stampa	Cambridge, UK ; ; New York, : Cambridge University Press, 2001
ISBN	1-107-12116-7 0-511-01620-4 1-280-43273-X 0-511-17403-9 0-511-15349-X 0-511-30346-7 0-511-49494-7 0-511-04655-3
Edizione	[1st ed.]
Descrizione fisica	1 online resource (xxxiii, 478 pages) : digital, PDF file(s)
Collana	Cambridge studies in international and comparative law ; ; [17]. Common core of European private law project
Altri autori (Persone)	GordleyJames
Disciplina	346.02/094
Soggetti	Contracts - Europe Promise (Law) - Europe
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Title from publisher's bibliographic system (viewed on 05 Oct 2015).
Nota di bibliografia	Includes bibliographical references and indexes.
Nota di contenuto	 Some perennial problems 2. Contemporary solutions Case 1. promises of gifts Case 2. promises of compensation for services rendered without charge Case 3. promises to pay debts not legally due Case 4. a promise to come to dinner Case 5. promises to store goods without charge Case 6. promises to do a favour Case 7. promises to loan goods without charge Case 8. a requirements contract Case 9. promises to pay more than was agreed I Case 10. promises to pay more than was agreed II Case 11. promises to do more than was agreed; promises to waive a condition Case 12. promises to take less than was agreed Case 13. options given without charge Case 14. promises of rewards Case 15. promises of commissions 3. Comparisons.
Sommario/riassunto	Civil law and common law systems are held to enforce promises differently: civil law, in principle, will enforce any promise, while

1.

common law will enforce only those with 'consideration'. In that respect, modern civil law supposedly differs from the Roman law from which it descended, where a promise was enforced depending on the type of contract the parties had made. This 2001 volume is concerned with the extent to which these characterizations are true, and how these and other differences affect the enforceability of promises. Beginning with a concise history of these distinctions, the volume then considers how twelve European legal systems would deal with fifteen concrete situations. Finally, a comparative section considers why legal systems enforce certain promises and not others, and what promises should be enforced. This is the second completed project of The Common Core of European Private Law launched at the University of Trento.