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Nota di contenuto	PART I: CONTINUITY AND RUPTURE. 1. The Problem of Perceptions of National Socialist Law or: Was there a Constitutional Theory of National Socialism? ; 2. Looking into the Brightly Lit Room: Braving Carl Schmitt in 'Europe' -- PART II: THE ERA OF NATIONAL SOCIALISM AND FASCISM. 3. The Fascist Theory of Contract ; 4. 'Spheres of Influence' and 'Volkisch' Legal Thought: Reinhart Hohn's Notion of Europe ; 5. 'The outsider does not see al the game...': Perceptions of German Law in Anglo-American Legal Scholarship, 1933-1940 ; 6. 'A Distorted Image of Ourselves': Nazism, 'Liberal' Societies and the Qualities of Difference -- PART III: CONTINUITY AND RECONFIGURATION. 7. Carl Schmitt's

Europe: Cultural, Imperial and Spatial, Proposals for European Integration, 1923-1955 ; 8. Culture and the Rationality of Law from Weimar to Maastricht ; 9. Europe a Gro?raum? Shifting Legal Conceptualisations of the Integration Project ; 10. From Gro?raum to Condominium-A Comment ; 11. Formalism and Anti-formalism in French and German Judicial Methodology ; 12. Judicial Methodology and Fascist and Nazi Law ; 13. On Nazi 'Honour' and the New European 'Dignity' ; 14. On Fascist Honour and Human Dignity: A Sceptical Response ; 15. Corporatist Doctrine and the 'New European Order' -- PART IV: RESPONSES TO NATIONAL SOCIALISM AND FASCISM IN NATIONAL LEGAL CULTURES. 16. The German Impact on Fascist Public Law Doctrine-Costantino Mortati's Material Constitution ; 17. Mortati and the Science of Public Law: A Comment on La Torre ; 18. From Republicanism to Fascist Ideology under The Early Franquismo ; 19. Authoritarian Constitutionalism: Austrian Constitutional Doctrine 1933 to 1938 and its Legacy.

Sommario/riassunto

"The legal scholarship of the National Socialist and Fascist period of the 20th century and its subsequent reverberation throughout European law and legal tradition has recently become the focus of intense scholarly discussion. This volume presents theoretical, historical and legal inquiries into the legacy of National Socialism and Fascism written by a group of the leading scholars in this field. Their essays are wide-ranging, covering the reception of National Socialist and Fascist ideologies into legal scholarship; contemporary perceptions of Nazi Law in the Anglo-American world; parallels and differences among authoritarian regimes in the Third Reich, Austria, Italy, Spain, and Vichy-France; how formerly authoritarian countries have dealt with their legal antecedents; continuities and discontinuities in legal thought in private law, public law, labour law, international and European law; and the legal profession's endogenous obedience and the pains of Vergangenheitsbewältigung. The majority of the contributions were first presented at a conference at the EUI in the autumn of 2000, the others in subsequent series of seminars."--Bloomsbury Publishing.
