



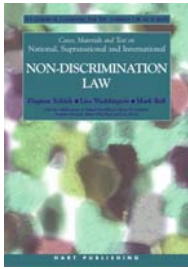
# IUS COMMUNE CASEBOOKS FOR A COMMON LAW OF EUROPE



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## Non-Discrimination Law

*Edited by Dagmar Schiek, Lisa Waddington and Mark Bell*

*(With the collaboration of Tufyal Choudhury, Olivier De Schutter, Janneke Gerards, Aileen McColgan and Gay Moon)*

'...more than simply a casebook as it integrates extracts from case law and legislation with extensive academic commentary...The book is an excellent reference point for anyone practising or interested in non-discrimination law and a rich teaching and curriculum development resource.' Anastasia Vakulenko, *European Law Review*

The casebook provides a comprehensive and skilfully designed resource for students, practitioners, researchers, public officials, NGOs, consumer organisations and the judiciary. As non-discrimination law is a comparatively new subject, the chapters search for and develop the concepts of discrimination law on the basis of a wide variety of young and often still emerging case law and legislation. The result is a comprehensive textbook with materials from a wide variety of EU Member States. The book illustrates the distinct relationship between international, European and national legislation in the field of non-discrimination law. It covers the grounds of discrimination addressed in the Racial Equality and Employment Equality Directives, as well as non-discrimination law relating to gender. In so doing, it covers the law of a large number of EU Member States, alongside some international comparisons.

*Professor Dagmar Schiek* is Jean Monnet Professor for European Economic Law at University Carl von Ossietzky Oldenburg. *Professor Lisa Waddington* holds the European Disability Forum Chair in European Disability Law at Maastricht University, the Netherlands. *Professor Mark Bell* is attached to the Centre for European Law and Integration, Faculty of Law, University of Leicester.

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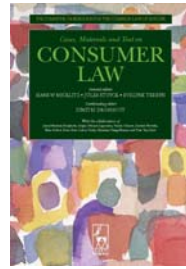
## Property Law

*Edited by Sjef Van Erp and Bram Akkermans*

The influence of European economic integration on private law first became clear in contract and tort law as well as the law of unjustified enrichment. Traditionally, comparative lawyers considered the law of property (immovables, movables and claims) as too complex for harmonisation attempts. In their view property law was very much a product of historical developments and political ideology. The divide between common law and civil law, particularly in the light of the way these two systems developed after the French Revolution, was seen as so deep that no common ground could be found. Two examples can be given to illustrate this: the numerus clausus of absolute rights, a fundamental concept in the civil law, does not exist as such in the common law, whereas fragmentation of ownership (characteristic of the common law) is not accepted in civil law systems. Economic integration, however, follows its own path: integration of financial markets needs integration of mortgage law; intra-community trade demands that the validity and enforceability of security instruments such as retention of title does not depend on highly abstract rules of private international law. This development has led to growing interest by comparative lawyers in the history, foundations, underlying principles and basic concepts of property law and the law of security rights (mortgages, pledges, retention of title etc.). This property law casebook examines all these aspects of property law in a systematic and accessible way.

*Sjef Van Erp* is Professor of Law at Maastricht University, the Netherlands. *Bram Akkermans* is Assistant Professor of Law at Maastricht University.

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## Consumer Law

*Edited by Hans-W Micklitz, Jules Stuyck and Evelyne Terryn*

*(With the collaboration of Jean-Sébastien Borghetti, Sergio Cámara Lapuente, Veerle Colaert, Geraint Howells, Elise Poillot, Peter Rott, Lubos Tichý, Christian Twigg-Flesner, Tom Van Dyck)*

The objective of this casebook, like others in the *Ius Commune Series*, is to help uncover common roots, notwithstanding differences in approach, of the European legal systems, with a view to strengthening the common legal heritage of Europe. The casebook covers the big legal families in the EU and contains judgments from the supreme courts and other courts of the Member States. In view of the importance of EC legislation (eg harmonisation directives and regulations) in this field, the consumer law casebook contains much material derived from Community law, such as extracts from directives (eg on unfair contract terms, distance selling, doorstep selling, product liability, unfair commercial practices etc) and judgments of the ECJ and national court decisions. Furthermore, attention is paid to the way in which, when interpreting EC directives in the consumer field, the ECJ refers to concepts common to the legal systems of the Member States and how the courts of the Member States incorporate the concepts found in the directives (as interpreted by the ECJ) in their legal systems. The casebook also compares harmonised and pre-harmonised law, especially in the case law of the Member States. The casebook concentrates on private law in the field of consumer protection but also addresses topics, in particular in the field of enforcement, that are primarily a matter of public law.

*Hans-W Micklitz* is Professor of Law at the European University Institute, Florence. *Jules Stuyck* is Professor of Law at the K.U.Leuven, Belgium and director of the Study Centre for Consumer Law. *Evelyne Terryn* is Professor of Law at the K.U.Leuven, Belgium and a member of the Study Centre for Consumer Law.

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## Contract Law 2nd Edition

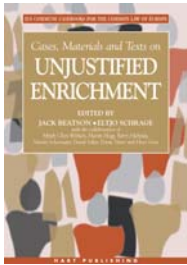
*Hugh Beale, Denis Tallon, Stefan Vogenauer, Jacobien Rutgers and Bénédicte Fauvarque-Cosson*

This is the second edition of the widely acclaimed and successful casebook on Contract in the *Ius Commune Series*, developed to be used throughout Europe and aimed at those who teach, learn or practise law with a comparative or European perspective. The book contains leading cases, legislation and other materials from the legal traditions within Europe, with a focus on English, French and German law as the main representatives of those traditions. The book contains the basic texts and contrasting cases as well as extracts from the various international restatements (Vienna Sales Convention, UNIDROIT, Principles of European Contract Law and so on). Materials are chosen and ordered so as to foster comparative study, and complemented with annotations and comparative overviews prepared by a multinational team.

*Hugh Beale* is a Professor of Law at the University of Warwick and a former Law Commissioner for England and Wales. *Denis Tallon* is Professor Emeritus of the University of Paris II. *Stefan Vogenauer* is the Professor of Comparative Law at the University of Oxford. *Jacobien Rutgers* is Associate Professor of Law at the University of Amsterdam. *Bénédicte Fauvarque-Cosson* is Professor of Law at the Université Panthéon-Assas (Paris II)

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**Please note that details about the first edition are shown overleaf**



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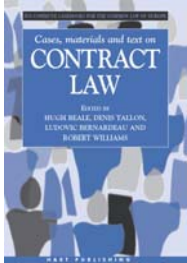
**'it is a splendid resource of virtually endless use... It deserves a place on our bookshelves.'**

Duncan Sheehan, University of East Anglia, *Common Law World Review*

This book contains excerpts from legal commentaries, leading cases and legislation from the main legal traditions within Europe, but also relying on the contribution of mixed legal systems such as those of Scotland and South Africa. The book concerns the law of restitution and contains a wide selection of extracts from the basic texts and commentaries.

*Walter van Gerven was formerly an Advocate General at the European Court of Justice in Luxembourg and has held chairs in law at the Universities of Leuven and Maastricht. Eltjo Schrage is Professor of Law at the University of Amsterdam and the Director of the Paul Scholten Institute.*

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## Contract Law 1st Ed

*Hugh Beale, Arthur Hartkamp, Hein Kotz and Denis Tallon,*

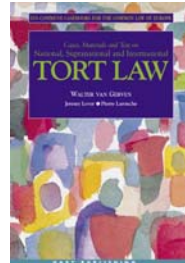
This is the first edition of *Contract Law* (the second edition is due for publication in August 2010 and is detailed overleaf).

This book contains leading cases, legislation and other materials from the legal traditions within Europe, with a focus on English, French and

German law as the main representatives of those traditions. *Contract Law* contains the basic texts and contrasting cases as well as extracts from the various international restatements (Vienna Sales Convention, UNIDROIT, Principles of European Contract Law and so on). Materials are chosen and ordered so as to foster comparative study, and complemented with annotations and comparative overviews prepared by a multinational team.

*Hugh Beale is a Professor of Law at the University of Warwick.*

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## Tort Law

*Walter Van Gerven, Jeremy Lever and Pierre Larouche*

**'...this is a very important book of high quality. The authors have contributed greatly to European legal thought on tort law'**

Professor Dr Mark Wissink, *Maastricht Journal of European and Comparative Law*

This is the complete version of the *Casebook on Tort Law*, part of which was already published in 1998 under the title *Tort Law: Scope of Protection*. Additional subjects covered in this book include the tort/contract divide, causation, remedies, fault and unlawfulness, liability for others, liability not based on fault as well as defences.

*Walter van Gerven was formerly an Advocate General at the European Court of Justice in Luxembourg and has held chairs in law at the Universities of Louvain/Leuven and Maastricht. Jeremy Lever is the Senior Dean of All Souls College Oxford and a Bencher of Gray's Inn. Pierre Larouche is a Professor of Law at Tilburg University.*

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