



Contract Law and Online Agreements

A Modern Perspective

Contract Law In Perspective

**Luca Siliquini-Cinelli, Andrew
Hutchison**



Contract Law In Perspective:

Contract Law in Perspective Linda Mulcahy, 2008-08-18 Contract Law in Perspective complements black letter treatments of contract by looking at legal doctrine and statutes in their social political and economic contexts It increases students understanding of the law of contract as well as convinces them why it is so important to us all In addition to describing the key doctrines in the field it explains the ideology behind them and considers the extent to which they serve the needs of the business community and consumers The book broadens understanding and appreciation of the subject by reference to the big ideas in contract theory and how these relate to practice at a level which is suitable for students This fifth edition has been substantially revised and now includes sections on privity and the Rights of Third Parties Act as well as a discussion of the Law Commission's Unfair Terms in Contract draft bill includes new chapter introductions and summaries designed to help students identify the key points and reflect on what they have learnt provides advice on further reading pointing students towards sources for more detailed study now includes additional self test questions for students at the end of each chapter to enable them to consolidate and practice at regular intervals

Contract Law in Perspective Linda Mulcahy, John Tillotson, 2004 This book approaches contract law from its social political and economic context and by doing so aims to broaden understanding and appreciation of the subject at a level which is suitable for students Legal and business perspectives are introduced as are some sociological and economic ideas and influences

Contract Law from a Drafting Perspective Thomas R. Haggard, 2003 This law school casebook takes a student beyond knowledge of the substance of contract principles doctrines and rules It contains a concise review of the contract drafting process and the accepted rules of style and usage with corresponding exercises Students then put this into practice through a series of exercises in which they draft a variety of contract provisions and complete contracts The book is suitable for use as a supplemental text in a first year contracts course or in an upper class course on contract drafting

Framing Contract Law Victor P. Goldberg, University of Toronto. Faculty of Law. Law and Economics Programme, 2004

English and European Perspectives on Contract and Commercial Law Louise Gullifer, Stefan Vogenauer, 2014-10-23 The purpose of this book is to honour the influential and wide ranging work of Professor Hugh Beale It contains essays by twenty five very distinguished authors each of whom has worked with Professor Beale as a co author as a teaching colleague during his time as Law Commissioner of England and Wales or as part of the study groups working in Europe on contract and commercial law The essays reflect different aspects of Professor Beale's interests Some concentrate on English contract law either from a historical or a current perspective while others are focused on aspects of European contract law There are four essays looking at current issues relating to security and financing and as befits a former Law Commissioner three essays on law reform The essays in the final section discuss trends in transnational and European commercial law This book brings together the reflections of eminent writers from all over Europe on important issues facing contract and commercial law and will be of interest to all scholars and practitioners

working in these areas **Perspectives on Contract Law** Randy E. Barnett, 2001 A reader for a first course in contract law reprinting 36 classic and new essays on enforcing private agreements mutual assent enforceability performance and breach and defenses to contractual obligation In many cases they present two or more perspectives on a particular issue They were selected

The Constitutional Dimension of Contract Law Luca Siliquini-Cinelli, Andrew Hutchison, 2017-04-06 One of the hallmarks of the present era is the discourse surrounding Human Rights and the need for the law to recognise them Various national and supranational human rights instruments have been developed and implemented in order to transition society away from atrocity and callousness toward a more just and inclusive future In some countries this is done by means of an overarching constitution while in others international conventions or ordinary legislation hold sway Contract law plays a pivotal role in this context According to many this is done through the much debated civilising mission of the contract a notion which itself constitutes the canon of the Western liberal principle of civilised economy The movement away from the belief in the absolute freedom of contract which reached its zenith in the nineteenth century to the principles of fairness and justice that underpin contract law today is often deemed to be a testament to this civilising influence Delving into the interplay between human rights policies constitutional law and contract law from both theoretical and practical perspectives this first volume of a two book collection offers a totally new reappraisal of the subject by gathering a collection of essays written by contract law scholars from Europe South Africa Canada and Australia Instead of providing the reader with a sterile compilation of positivistic norms and policies on the impact of fundamental rights and constitutional law issues on contract law's development the authors build on their personal experience to analyse specific topics related to contracting that include a constitutional dimension The book fills an important void in comparative law scholarship and in so doing represents the starting point for further debate on the subject

Perspectives on Contract Law Randy E. Barnett, Nathan B. Oman, 2018-03-12 Interesting and informative *Perspectives on Contract Law* is an anthology of legal scholarship that presents both seminal and cutting edge writing by luminaries in the field Featuring selections from a new generation of contracts scholars including Steven J Burton Nathan B Oman Margaret Radin and more along with additional content by Alan Schwartz and Robert E Scott this text offers a diversity of articles that reflect a variety of contract theorists and perspectives Created with the first year law student in mind this text provides introductory text and Study Guides that frame each article and helpfully suggest salient themes A logical and modular organization make this reader suitable for use alongside any contracts casebook

More Constitutional Dimensions of Contract Law Luca Siliquini-Cinelli, Andrew Hutchison, 2019-06-24 This second volume on the constitutional dimension of contract law explores this increasingly relevant subject in jurisdictions that are usually overlooked by mainstream scholarship in the English speaking world With chapters on Finland and other Nordic Countries from a comparative perspective Spain Japan Somalia Nigeria Brazil and Peru the contributions presented here offer much needed context informed insights on whether and if so why how and to what extent

the development of contract law is being influenced by constitutional values and fundamental rights issues or vice versa The book represents a valuable addition to comparative law literature on the interplay between public i e constitutional and private i e contract law by revealing the inner dynamics through which these two branches interact and at times inform each other whilst also enhancing our understanding of the law s nature function and transformative potential at the macro meso and micro levels

Commercial Contract Law Larry A. DiMatteo,Qi Zhou,Severine Saintier,2013-01-31 Part I The Role of Consent 1 Transatlantic perspectives fundamental themes and debates Larry A DiMatteo Qi Zhou and S verine Saintier 2 Competing theories of contract an emerging consensus Martin A Hogg 3 Contracts courts and the construction of consent Tom W Joo 4 Are mortgage contracts promises Curtis Bridgeman Part II Normative Views of Contract 5 Naturalistic contract Peter A Alces 6 Contract in a networked world Roger Brownsword 7 Contract transactions and equity T T Arvind Part III Contract Design and Good Faith 8 Reasonability in contract design Nancy S Kim 9 Managing change in uncertain times relational view of good faith Zoe Ollerenshaw Part IV Implied Terms and Interpretation 10 Implied terms in English contract law Richard Austen Baker 11 Contract interpretation judicial rule not party choice Juliet Kostritsky Part V Policing Contracting Behavior 12 The paradox of the French method of calculating the compensation of commercial agents and the importance of conceptualising the remedial scheme under Directive 86 653 S verine Saintier 13 Unconscionability in American contract law Chuck Knapp 14 Unfair terms in comparative perspective software contracts Jean Braucher 15 D CFR initiative and consumer unfair terms Mel Kenny Part VI Misrepresentation Breach and Remedies 16 Remedies for misrepresentation an integrated system David Capper 17 Re examining damages for fraudulent misrepresentation James Devenney 18 Remedies for documentary breaches English law and the CISG Djakhongir Saidov Part VII Harmonizing Contract Law 19 Harmonisation European contract law default and mandatory rules Qi Zhou 20 Harmonization and its discontents a critique of the transaction cost argument for a European contract law David Campbell and Roger Halson 21 Europeanisation of contract law and the proposed common European sales law Hector MacQueen 22 Harmonization of international sales law Larry A DiMatteo

Framing Contract Law Victor Goldberg,2012-03-05 The central theme of this book is that an economic framework incorporating such concepts as information asymmetry moral hazard and adaptation to changed circumstances is appropriate for contract interpretation analyzing contract disputes and developing contract doctrine The value of the approach is demonstrated through the close analysis of major contract cases In many of the cases had the court and the litigators understood the economic context the analysis and results would have been very different Topics and some representative cases include consideration *Wood v Lucy Lady Duff Gordon* interpretation *Bloor v Falstaff* and *Columbia Nitrogen v Royster* remedies *Campbell v Wentz* *Tongish v Thomas* and *Parker v Twentieth Century Fox* and excuse *Alcoa v Essex*

Chinese Contract Law Larry A. DiMatteo,Chen Lei,2017-10-26 This book is the product of a unique collaboration between mainland Chinese scholars and scholars from the civil common and mixed jurisdiction legal

traditions It begins by placing the current Chinese contract law CCL in the context of an evolutionary process accelerated during China's transition to a market economy It is structured around the core areas of contract law anticipatory repudiation common law and defense of security German law and remedies and damages with a focus on the availability of specific performance in Chinese law The book also offers a useful comparison between the CCL and the UNIDROIT Principles of International Commercial Contracts as well as the Convention on Contracts for the International Sale of Goods The analysis in the book is undertaken at two levels practical application of the CCL and scholarly commentary The Europeanisation of Contract Law Christian Twigg-Flesner, 2013-04-12 Critical yet accessible this book provides an overview of the current debates about the Europeanization of contract law Charting the extent to which English contract law has been subject to this activity it is the ideal volume for readers unfamiliar with the subject who wish to understand the main issues quickly It examines a range of key developments including a string of directives adopted by the European Union that touch on various aspects of consumer law recent plans for a European Common Frame of Reference on European Contract Law Bringing together advanced legal scholarship critically examining key developments in the field and considering the arguments for and against greater convergence in the area of contract law this is an excellent read for postgraduate students studying contract and or European law

Contract Law in China Lei Chen, Liang Zhao, 2025-07-22 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of the law of contracts in China covers every aspect of the subject definition and classification of contracts contractual liability relation to the law of property good faith burden of proof defects penalty clauses arbitration clauses remedies in case of non performance damages power of attorney and much more Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology application and procedure from one legal system to another as well as the international aspects of contract law Throughout the book the treatment emphasizes drafting considerations An introduction in which contracts are defined and contrasted to torts quasi contracts and property is followed by a discussion of the concepts of consideration or cause and other underlying principles of the formation of contract Subsequent chapters cover the doctrines of relative effect termination of contract and remedies for non performance The second part of the book recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it describes the nature of agency sale lease building contracts and other types of contract Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for business and legal professionals alike Lawyers representing parties with interests in China will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative contract law

Contract Law and Theory Eric A. Posner, 2011 Contract Law and Theory conveys a grasp of theory and policy that makes all of the contract rules easier

to understand By explaining and applying contract theory to a wide range of contracts cases Eric Posner reveals not only the what of doctrine but also the why why one rule rather than another makes sense from a policy perspective An understanding of what contract theory is and how it is applied will help you to understand not only Contracts as taught in law school but also the many areas of law in which contractual ideas operate such as bankruptcy law secured transactions and corporate law An exciting new Student Treatise from an eminent authority Contract Law and Theory features Complete coverage of contracts that includes the principal cases covered in most first year contracts courses A general explication of the rules of contract that begins with the simplest ideas and gradually builds in complexity A consistent emphasis on the application of theory to doctrine through analysis of a rich selection of cases A readable and expert treatment of the role of economics in contract law Illustrative examples that point to noteworthy cases Suitable for use alongside any casebook

Aspects of Contract Law in Comparative Perspective Konrad Zweigert, University of Sydney. Institute for Advanced Studies in Jurisprudence, 1975

Feminist Perspectives on Contract Law Linda Mulcahy, Sally Wheeler, 2005 This edited collection questions the assumptions about feminist perspectives on contract law made in mainstream textbooks and the ideologies that underpin them drawing attention to the ways in which the law of contract has facilitated the virtual exclusion of women the feminine and the private sphere from legal discourse

The Need for a European Contract Law J. M. Smits, 2005 The aim of this book is to discuss the need for a uniform contract law in Europe At present it is debated to what extent uniformity of law is required from the economic perspective The view of the European Commission seems to be that diversity of law stands in the way of a proper functioning of the internal market but this view does not seem to be shared by business in the reactions to the Communication on European Contract Law 2001 it was striking to see that most companies do not consider the present diversity to be a true barrier to trade This book offers five different perspectives on the need for a uniform contract law These perspectives include economics behavioral law and economics psychology and law

The Theory of Contract Law Peter Benson, 2001-02-05 Although the law of contract is largely settled there appears to be no widely accepted comprehensive theory of its main principles and doctrines or of its normative basis Contract law theory raises issues concerning the relation between law and morality the role and the importance of rights the connection between justice and economics and the distinction between private and public law This collection of six full length essays written by some of the most eminent scholars in the field explores the general theory of contract law from a variety of theoretical perspectives The volume addresses a wide range of issues both methodological and substantive in the theory and practice of contract law While the essays build upon past theoretical contributions they also attempt to take contract theory further and suggest promising ways to develop theory of contract law

Promises and Contract Law Martin Hogg, 2011 Promises and Contract Law is the first modern work to explore the significance of promise to contract law from a comparative legal perspective Part I explores the component elements of promise its role in Greek thought and Roman law the importance of

the moral duty to keep promises and the development of promissory ideas in medieval legal scholarship Part II considers the modern contract law of a number of legal systems from a promissory perspective The focus is on the law of England Germany and three mixed legal systems Scotland South Africa and Louisiana though other legal systems are also mentioned Major topics subjected to a promissory analysis include formation of contract third party rights contractual remedies and the renunciation of contractual rights Part III analyses the future role which promise might play in contract law especially within a harmonised European contract law

Unveiling the Magic of Words: A Overview of "**Contract Law In Perspective**"

In a global defined by information and interconnectivity, the enchanting power of words has acquired unparalleled significance. Their ability to kindle emotions, provoke contemplation, and ignite transformative change is truly awe-inspiring. Enter the realm of "**Contract Law In Perspective**," a mesmerizing literary masterpiece penned by a distinguished author, guiding readers on a profound journey to unravel the secrets and potential hidden within every word. In this critique, we shall delve in to the book is central themes, examine its distinctive writing style, and assess its profound impact on the souls of its readers.

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