

Index

Articles/Articles/Aufsätze

ARRANGED BY AUTHOR

A

- Guido ALPA, European Community resolutions and the codification of “private law”, **vol. 8 No.2**
- Marietta AUER, Good Faith: a semiotic approach, **vol. 10 No.2**
- Georgios I. ARNOKOUROUS, The transposition of the Consumer Sales Directive into the Greek legal system, **vol. 9 Nos.2&3**

B

- Stathis BANAKAS, European tort law – is it possible?, **vol. 10 No. 3**
- Christian VON BAR and Ole LANDO, Communication on European contract law : joint response of the Commission on European Contract law and the Study Group on a European Civil Code, **vol. 10 No.2**
- Jürgen BASEDOW, Codification of Private Law in the European Union: the making of a hybrid, **vol. 9 No.1**
- Klaus Peter BERGER, The Principles of European Contract Law and the concept of “Creeping Codification” of law, **vol. 9 No.1**
- Gerrit BETLEM and Ewoud HONDIUS, European Private Law after the Treaty of Amsterdam, **vol. 9 No.1**
- Timothy C. BIRD, Directive 99/44/EC on certain aspects of the sale of consumer goods and associated guarantees: its impact on existing Irish sale of goods law, **vol. 9 Nos.2&3**
- Michael G. BRIDGE, The English law of real security, **vol. 10 No. 4**
- Anne-Dorte BRUUN NIELSEN, Directive 1999/44/EC of the European Parliament and the Council on certain aspects of the sale of consumer goods and associated guarantees and its influence on Danish law, **vol. 9 Nos.2&3**
- Mauro BUSSANI, “Integrative’ comparative law enterprises and the inner stratification of legal systems, **vol. 8 No.1**

C

- Marie-Jeanne CAMPANA, Avant-propos (Special issue on interactive private law adjudication in the European multi-level system – analytical explorations and normative challenges) **vol. 8 No.1**
- Marie-Jean CAMPANA, Vers un langage juridique commun en Europe? , **vol. 8 No.1**

- Anthony CHAMBOREDON, Form v. substance? An ideological venture beyond the dichotomy in European contract law, **vol. 8 No.1**
- Christoph COEN, Rainer HORNING and Peter SCHLECHTRIEM,, Restitution and Unjust Enrichment in Europe, **vol. 9 Nos.2&3**
- Hugh COLLINS, Formalism and efficiency, **vol. 8 No.1**

D

- Anna DI ROBILANT and Ugo MATTEI , The art and science of critical scholarship: postmodernism and international style in the legal architecture of Europe, **vol. 10 No.1**
- Helge DEDEK, Karsten OTTE and Hanns PRÜTTING, The grotius program: proposals for amending Article 21 and 22 of the Brussels Convention, **vol. 8 No.2**
- Libor DRABEK , A fair hearing before EC institutions, **vol. 9 No. 4**

E

- Marc ELVINGER, La Directive 99/44 du 25 Mai 1999 et le droit Luxembourgeois, **vol. 9 Nos.2&3**

F

- Sonja FEIDEN, Europeanisation of European law adjudication, **vol. 8 No.1**

G

- Sarah GALE, Gary SCANLAN and Andrew MCGEE,, Limitation Periods and Remedies under EC legislation – the *Arkin* case, **vol. 10 No.2**
- David GEARY, Notes on family guarantees in English and Scottish law, **vol. 8 No.1**
- Walter VAN GERVEN, A common law for Europe: the future meeting the past?, **vol. 9 No. 4**
- George L. GRETTON, Constructive trusts and insolvency, **vol. 8 No.3**
- Stefan GRUNDMANN, European sales law – reform and adoption of international models in German sales law, **vol. 9 Nos.2&3**
- Stefan GRUNDMANN, The structure of European contract law, **vol. 9 No. 4**

H

- Arthur S. HARTKAMP, European freedoms and national mandatory rules: the Dutch judiciary and the European Convention on Human Rights, **vol. 8 No.1**
- Martijn HESSELINK, Editorial: Special issue on Critical Legal Theory and European Private Law, **vol. 10 No.1**
- Dieter HOFFMANN, Directive “Action en cessation en matière de protection des intérêts des consommateurs” (Dir. 98/27/CE du 19/5/98), **vol. 8 No.1**
- Martin HOGG, Scottish law and the European Consumer Sales Directive, **vol. 9 Nos.2&3**
- Ewoud HONDIUS and Gerrit BETLEM, European Private Law after the Treaty of Amsterdam, **vol. 9 No.1**

- Ewoud HONDIUS and Christoph JELOSCHKE, Towards a European sales law – legal challenges posed by the Directive on the sale of consumer goods and associated guarantees, **vol. 9 Nos.2&3**
- Ewoud HONDIUS and Harriët SCHELHAAS, In conformity with the Consumer Sales Directive? Some remarks on transposition into Dutch Law, **vol. 9 Nos.2&3**
- B. Patrick HONNEBIER, The Convention of Cape Town on International Interests in Mobile Equipment: the solution of specific European property law problems, **vol. 10 No. 3**
- Rainer HORNING, Peter SCHLECHTRIEM and Christoph COEN, Restitution and Unjust Enrichment in Europe, **vol. 9 Nos.2&3**
- G. HOWELLS, Federalism in USA and EC – the scope for harmonised legislative activity compared, **vol. 10 No.5**

J

- Christoph JELOSCHKE, The transposition of Directive 99/44/EC into Austrian law, **vol. 9 Nos.2&3**
- Christoph JELOSCHKE and Ewoud HONDIUS, Towards a European sales law – legal challenges posed by the Directive on the sale of consumer goods and associated guarantees, **vol. 9 Nos.2&3**
- Christian JOERGES, Editorial and acknowledgements (Special issue on interactive private law adjudication in the European multi-level system – analytical explorations and normative challenges), **vol. 8 No.1**
- Christian JOERGES, Interactive adjudication in the Europeanisation process? A demanding perspective and a modest example, **vol. 8 No.1**

K

- Nicholas KASIRER, The common core of European private law in boxes and bundles, **vol. 10 No. 3**
- Irene KLAUER, Integrationist objectives of European general clauses and “stricter” national standards, **vol. 8 No.1**
- Duncan KENNEDY, The political stakes in “merely technical” issues of contract law, **vol. 10 No.1**
- Sonja A. KRUISINGA, What do consumer and commercial sales law have in common? A comparison of the EC Directive on consumer sales law and the UN Convention on contracts for the international sale of goods, **vol. 9 Nos.2&3**
- Jan A. KRUPSKI, Uniform connection of security rights in receivables, **vol. 10 No.6**

L

- Ole LANDO and Christian von Bar, Communication on European contract law : joint response of the Commission on European Contract law and the Study Group on a European Civil Code, **vol. 10 No.2**
- Ole LANDO, Optional or mandatory Europeanisation of contract law, **vol. 8 No.1**
- Pierre LAROCHE, Ius Commune case books for the common law of Europe: presentation, progress, rationale, **vol. 8 No.1**

- Pierre LEGRAND, On the unbearable localness of the law: academic fallacies and unseasonable observations, **vol. 10 No.1**
- Javier LETE, The impact on Spanish contract law of the EC Directive on the Sale of Consumer Goods and Associated Guarantees, **vol. 9 Nos.2&3**
- Marco M.B.LOOS, Towards a European law of service contracts, **vol. 9 No. 4**
- Aurora LOPEZ AZCONA, The consolidation of family rights of preferential acquisition contained in Spanish regional laws in relation to Swiss legislation: the Restoration of the *droit de préemption des parents*, **vol. 10 No.5**

M

- Ugo MATTEI and Anna DI ROBILANT, The art and science of critical scholarship: postmodernism and international style in the legal architecture of Europe, **vol. 10 No.1**
- Andrew MCGEE, Sarah GALE, and Gary SCANLAN, Limitation Periods and Remedies under EC legislation – the *Arkin* case, **vol. 10 No.2**
- Ewan MCKENDRICK, Traditional concepts and contemporary values, **vol. 10 No.1**
- Ewan MCKENDRICK, Modifying procedural autonomy: better protection for community rights, **vol. 8 No.4**
- Alberto MONTI, Environmental Risk: A Comparative Law and Economics Approach to Liability and Insurance, **vol. 9 No.1**
- Thomas M.J. MÖLLERS, European Directives on Civil Law – The German approach: towards the re-codification and new foundation of civil law principles, **vol. 10 No.6**

N

- Leone NIGLIA, The non-Europeanisation of private law, **vol. 9 No. 4**

O

- Karsten OTTE, Hanns PRÜTTING and Helge DEDEK, The grotius program: proposals for amending Article 21 and 22 of the Brussels Convention, **vol. 8 No.2**

P

- Andrea PINNA, La transposition en droit français, **vol. 9 Nos.2&3**
- Kara PREEDY, Fundamental rights and private acts – horizontal direct or indirect effect?, **vol. 8 No.1**
- Hanns PRÜTTING, Karsten OTTE and Helge DEDEK, The grotius program: proposals for amending Article 21 and 22 of the Brussels Convention, **vol. 8 No.2**

R

- Kenneth G. REID, Patrimony not Equity: the trust in Scotland, **vol. 8 No.3**
- C.H. VAN RHEE, Civil procedure: a European *Ius Commune*, **vol. 8 No.4**
- C.H. VAN RHEE, Trusts, trust-like concepts and *Ius Commune*, **vol. 8 No.3**
- Kristina RIEDL, The work of the Lando-Commission from an alternative viewpoint, **vol. 8 No.1**

- Wulf-Henning ROTH, Transposing “pointillist” EC guidelines into systematic national Codes, **vol. 10 No.6**

S

- C.W. Maris van SANDELINGENAMBACHT, Legal positism and the end of European private law: Duncan Kennedy’s critique of adjudication, **vol. 10 No.1**
- Gary SCANLAN, Andrew MCGEE and Sarah GALE, Limitation Periods and Remedies under EC legislation – the *Arkin* case, **vol. 10 No.2**
- Harriët SCHELHAAS and Ewoud HONDIUS, In conformity with the Consumer Sales Directive? Some remarks on transposition into Dutch Law, **vol. 9 Nos.2&3**
- Peter SCHLECHTRIEM, Christoph COEN and Rainer HORNUNG, Restitution and Unjust Enrichment in Europe, **vol. 9 Nos.2&3**
- Christoph SCHMID, Diagonal competence conflicts between European competition law and national regulation – A conflict of laws reconstruction of the dispute on book price fixing, **vol. 8 No.1**
- Andreas SCHWARTZE, Enforcement of private law: the missing link in the process of European harmonization, **vol. 8 No.1**
- Manola SCOTTON, Directive 99/44/EC on certain aspects of the sale of consumer goods and associated guarantees, **vol. 9 Nos.2&3**
- Mathias M.SIEMS, Should spouses be advised before committing to guarantees? A comparative analysis, **vol. 10 No. 4**
- Hanna SIVESAND, Sweden – delayed reforms due to the Consumer Sales Directive?, **vol. 9 Nos.2&3**
- SPECIAL ISSUE on Critical Legal Theory and European Private Law, **vol. 10 No.1**
- SPECIAL ISSUE on the implementation of the Directive on the sale of consumer goods and associated guarantees, **vol. 9 Nos.2&3**
- SPECIAL ISSUE on interactive private law adjudication in the European multi-level system – analytical explorations and normative challenges, **vol. 8 No.1**
- SPECIAL ISSUE on trusts, **vol. 8 No.3**
- DIRK STAUDENMAYER, The Commission Communication on European contract law: what future for European Contract law?, **vol. 10 No.2**
- Dirk STAUDENMAYER, The Directive on the sale of consumer goods and associated guarantees – a milestone in European consumer and private law, **vol. 8 No.4**
- Bernd STAUDER, Die Gewährleistung bei Konsumentenkaufverträgen nach OR im Lichte des EU-Rechts, **vol. 9 Nos.2&3**
- Katja STOPPENBRINK, Systemwechsel im internationalen Anerkennungsrecht: Von der EuGVVO zur geplanten Abschaffung des Exequaturs, **vol. 10 No.5**

T

- IONNA THOMA, La définition et l’exercice des compétences externes de la Communauté Européenne au domaine de la coopération dans les matières civiles ayant une incidence transfrontière, **vol. 10 No.3**
- Rita TRIGO TRINDADE, Corporate governance: La responsabilité des conseils d’administration dans les sociétés, **vol. 8 No.2**

U

- Nikolaus URBAN, One legal language and the maintenance of cultural and linguistic diversity?, **vol. 8 No.1**

V

- H.L.E. VERHAGEN, Trusts in the civil law: making use of the experience of “mixed” jurisdictions, **vol. 8 No.3**

W

- M. J. DE WAAL, The uniformity of ownership, *numerus clausus* and the reception of trust into South African law, **vol. 8 No.3**
- Stephen WATTERSON, Consumer Sales Directive 1999/44/EC and the impact on English law, **vol. 9 Nos.2&3**
- Thomas WILHELMSSON, Private law in the European Union: harmonized or fragmented Europeanisation?, **vol. 10 No.1**

Case Notes/Annotations/Entscheidungsanmerkungen

SORTED BY JURISDICTION

- BGH, 11.November 1997 – Zur Zurechnung von psychischen Folgeschäden des Verletzten an den Schädiger, note by Samantha HALLIDAY, **vol. 8 No.3**
- BGH, 7.Juli 1998 – Zu den rechtlichen Auswirkungen eines Kalkulationsirrtums, notes by Paulo MOTA PINTO, Ferdinand KERSCHNER, Rolf DOTEVALL and Heleni THEODOROU, **vol. 9 No.1**
- BGH, 11.Dezember 1998 – Wiederverkauf, notes by Caroline CAUFFMAN, Sergio CÁMERA LAPUENTE, and Dimitra PAPADOPOULOU-KLAMARIS, **vol. 9 No.4**
- BGH, 4.Februar 1999 – Bereicherungshafung des Beschenkten, notes by Valentina JACOMETTI, Theodor LYTRAS and Matthias E. STORME, **vol. 10 No.2**
- BGH, 26.März 1999 – Erstattungsfähigkeit frustrierter Aufwendungen, notes by Jose Ramon DE VERDA Y BEAUMONTE and Thomas SCHOBEL, **vol. 10 No.3**
- BGH, 23.Juni 1999 – Selbständiger Beratungsvertrag über den künftigen Kaufgegenstand, notes by Murillo DE SALAS and Andreas RIEDLER, **vol. 10 No.??**
- BGH, 23.September 1999 – Erbensucher, notes by Andreas FÖTSCHL, José Carlos de MEDEIROS NÓBREGA, Begoña ALFONSO DE LA RIVA and Stephen SWANN, **vol. 10 No.4**
- BGH, 20.Oktober 2000 – duty to inform other party, notes by Maria Paz GARCIA RUBIO, Hans-Georg KOPPENSTEINER, **vol. 10 No.5**
- BGH, 22.Dezember 1999 – delivery of goods/software, note by Elisabeth BÖHLER, **vol. 10 No.5**
- BGH, 29.Juni 1999 (Vorlagebeschluss) – The protection of “vulnerable sureties” as to German, French, Belgian, Dutch, English and Scottish law, note by Caroline LEBON, **vol. 9 Nos.2&3**
- Cour de Cassation (France), 12 novembre 1998 – les pouvoirs et les obligations-

- de l'usufruitier, notes by Dominique DE MAREZ, G.N. MICHALOPOULOS, and Elena SÁNCHEZ JORDÁN, **vol. 9 No.4**
- Cour de cassation (France), 16 novembre 1998 – enrichissement sans cause, notes by Gerrit DE GEEST and Ben W.F. DEPOORTER, Josiane HAAS, Paolo GALLO, Eugenia DACORONIA and Eulalia ELEFThERiADOU, Begona Alfonso DE LA RIVA, José Carlos de MADEIROS NOBREGA, Erwin BEYSEN, Silvia FEDRIZZI, Matthias HÜNERT, Franz NIEPER, **vol. 8 No.4**
 - Cour de Cassation (France), 13 janvier 1999 – nullité du contrat par violence, note by Gabriel GARCIA CANTERO, **vol. 10 No.6**
 - Cour de Cassation (France), 26 octobre 1999 – cessation de contrat et accessoires, notes by F.M.B PEREIRA COELHO, Anastassios TAMAMIDIS and Raf VAN RANSBEECK, **vol. 10 No.2**
 - Cour de cassation (France), 1 decembre 1999 – responsabilité pour activites sportives, notes by Elspeth REID, Bernhard A. KOCH and Sylvia GASPÀR LERA, **vol. 10 No.4**
 - Cour de Cassation (France), 26 avril 2000 – priority conflict between the seller under title retention and the assignee of the resale claim, note by Vincent Sagaert, **vol. 10 No.6**
 - Cour de Cassation (France) 21 février 2001 – l'indifférence du caractère excusable de l'erreur, notes by José Ramón de Verda y Beamonte, Paulo Videira Henriques, Barbara Vari
-
- European Court of Justice, 22 April 1999, Travel Vac SL v. Manuel José Antelm Sanchis – The application of Directive 85/577 on contracts negotiated away from business premises to contracts of purchase of time-shares, note by Elena IORIATTI, **vol. 9 Nos.2&3**
 - European Court of Justice, 27 June 2000, Oceáno Grupo Editorial and Salvat Editores, notes by Martin HOGG, Georgios I. Arnokouros, Andrea PINNA, Rui CASCAO and Stephen WATTERSON, **vol. 10 No.1**
 - European Court of Justice, 10 May 2001, Henning Veed fald v Århus Amtskommune, C-203/99 – Danish kidney case under the Directive on product liability, note by Geraint Howells, **vol. 10 No.6**
-
- OGH (Österreichischer Oberster Gerichtshof), 2.Juli 1998 – Zur Haftung für die Beschädigung eines "gefälligkeitshalber" gelenkten fremden PKWs, notes by Andreas FÖTSCHL and Heleni THEODOROU, **vol. 9 No.1**
 - OGH, 27. Jänner 1999 – Zur Verzinsung eines Schadenersatzanspruches beim Schulnderverzug, notes by Anne-Kathrin PAHLKE, Bart DE TEMMERMAN, Kostas CHRISTODOULOU, **vol. 8 No.4**
 - OGH, 23. November 1999 – burden of proof in medical liability, notes by Elena SANCHEZ JORDAN, Franz SCHILTZ, Dimitris MANIOTIS, **vol. 10 No.5**
-
- Cour de Cassation (Belgium), 14 May 1999 – receipt theory, notes by Matthias E. STORME, Anastassios E. TAMAMIDIS, Bert VAN SCHAICK and Wendy KENNETT, **vol. 10 No.1**

- House of Lords (opinions of the Lords of Appeal for Judgement in the cause *Kleinwort Benson Ltd. v. Lincoln City Council and others*) 29 October 1998, notes by Nils JANSEN, Lena OLSEN, Carolina VICENTE E CUNHA, Hector L. MACQUEEN, Willibald POSCH and Luisa ANTONIOLLI DEFLORIAN, **vol. 8 No.2**
- High Court, 28 November 1990 – Immunity for suit? – *Mareva Injunctions*, *Constructive Trusts* and the salutary tale of *Mizrahi Bank*, note by Oonagh BREEN, **vol. 9 No.1**
- Hoge Raad (Netherlands), 5 September 1997 – *Ontvanger v. Hamm* (bankruptcy), notes by Eric DIRIX. Martin HOGG and Jasper BACKX, **vol. 8 No.3**
- Bundesgericht (Schweiz), 26. September 1997 – a strong incentive to the litigants to act promptly, note by Patrick WAUTELET, **vol. 9 No.1**

Book review/Compte rendu/Buchbesprechung

SORTED BY (FIRST) AUTHOR OF THE BOOK UNDER REVIEW

- Brian BIX (ed.), *Contract Law: The International Library of Essays in Law and Legal Theory*, by Ewoud Hondius, **vol. 10 No.3**
- Elizabeth COOKE (ed.), *Modern Studies in Property Law (Volume I, Property 2000)*, by J. Michael Milo, **vol. 10 No.1**
- Iwan DAVIES (ed.), *Retention of Title Clauses in Sale of Goods Contracts in Europe* by J. Michael Milo, **vol. 9 No.4**
- John DICKIE, *Internet and electronic commerce law in the European Union*, by Georgios Arnokouros, **vol. 8 No.2**
- Hague Conference on Private International Law, *Proceedings of the eighteenth session 30 September to 19 October 1996, Tome I* by Marieke Oderkerk, **vol. 8 No.3**
- A. HARTKAMP, M. HESSELINK, E. HONDIUS, C. JOUSTRA and E. DU PERRON (eds), *Towards a European Civil Code, Second revised and expanded edition* by Michael Traest, **vol. 9 No.4**
- F.H. LAWSON, B. RUDDEN, *The Law of Property*, 3rd rev. edition by Michele Graziadei, **vol. 10 No.6**
- Ugo MATTEI, *Basic Principles of Property Law. A Comparative Legal and Economic Introduction* by Michael Milo, **vol. 10 No.5**
- Jacobien W. RUTGERS, *International Reservation of Title Clauses. A study of Dutch, French and German Private International Law in the Light of European Law* by J. Michael Milo, **vol. 9 No.4**
- Jan SMITS, *The making of European Private Law, Towards a Ius Commune Europaeum as a Mixed Legal System*, by Ilse Samoy, **vol. 10 No.6**
- Franz WERRO and Anne-Catherine HAHN, *Prinzipien des Haftungsrechts* by G. Brüggemeier, **vol. 9 Nos.2&3**

- Reinhard ZIMMERMANN and Simon WHITTAKER, Good Faith in European Contract Law, by Ewoud Hondius, **vol. 10 No.3**

Report/La vie du droit/Erfahrungsbericht

- Geraint HOWELLS, Secola Conference Report, 30 Nov-1 Dec 2001, **vol. 10 No.3**
- Stephen SWANN, TRIER- European Contract Law Conference Report, 14-15 March 2002, **vol. 10 No.5**
- Viola HEUTGER, Worldwide Harmonisation of Private Law and Regional Economic Integration (75 Jahre UNIDROIT), Rom, 27.- 28.September 2002, **vol. 10 No.6**

Current Developments/Chronique d'actualité/Gegenwärtige Rechtsentwicklungen

- Ewoud HONDIUS, European private law: survey 1998-2000, **vol. 8 No.2**
- Ewoud HONDIUS, European private law: survey 2000-2002, **vol. 10 No.6**

Dictionary/Dictionnaire/Lexikon

- António PINTO MONTEIRO, clause pénale/penalty clause/Vertragsstrafe, **vol. 9 No.1**
- Júlio Manuel Vieira GOMES, Unjust enrichment, **vol. 9 Nos.2&3**
- Fritz RABER, *Laesio enormis*, **vol. 8 No.3**