

## Contract A Critical Commentary Law Social Theory

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Taking contract doctrine seriously leads to an engagement with deeper questions about the grounds of contractual obligation, the importance of contract law in reality and the nature of change within the law. Providing a commentary on orthodox descriptive accounts of the law of contract, this book focuses on consumer contract, and sees the need for the legislative rescue of consumers as a symptom of past doctrinal failure in the general law.

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The choice of books on contract law for students and practitioners is divided in the main between straightforward text/case books and secondary commentaries. John takes us in a new direction, lifting the skirts on the subject in the tradition of critical legal scholarship. As entertaining as it is stimulating and informative.

Amazon.com: Customer reviews: Contract: A Critical ...

In law many assignments will give you a quote from a journal, article or a case and you will be expected to evaluate it and this is when your critical thinking will come in. The following is an example from contract law on silence as a form of acceptance. "The case of *Felthouse v Bindley* states that silence does not amount to acceptance.

Critical Thinking - Law Essay Help

Impracticability is described in many ways, but essentially it is when a party is excused of its responsibilities because (1) performance has been made excessively burdensome—impracticable, not necessarily impossible—by a supervening event; (2) the event must not have been caused by the party seeking to be excused; (3) the event must be inconsistent with a basic assumption of the parties at the time the contract was made (instead of basic assumption, some cases—especially older cases ...

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The Indian contract act: with a commentary, critical and explanatory. by Pollock, Frederick, Sir, ; India. Indian Contract Act; Mulla, Dinshah Fardunji. Pollock & Mulla on Indian contract and Specific relief acts: with a commentary, critical and explanatory Comparative Table Specific Relief Act New Old. cxliii.

Winner of the 1996 Social Legal Studies Association / OUP Prize for the best Socio-Legal Book published by an unpromoted academic

The book provides rule-by-rule commentaries on European contract law (general contract law, consumer contract law, the law of sale and related services), dealing with its modern manifestations as well as its historical and comparative foundations. After the collapse of the European Commission's plans to codify European contract law it is timely to reflect on what has been achieved over the past three to four decades, and for an assessment of the current situation. In particular, the production of a bewildering number of reference texts has contributed to a complex picture of European contract laws rather than a European contract law. The present book adopts a broad perspective and an integrative approach. All relevant reference texts (from the CISG to the Draft Common European Sales Law) are critically examined and compared with each other. As far as the *acquis commun* (ie the traditional private law as laid down in the national codifications) is concerned, the Principles of European Contract Law have been chosen as a point of departure. The rules contained in that document have, however, been complemented with some chapters, sections, and individual provisions drawn from other sources, primarily in order to account for the quickly growing *acquis communautaire* in the field of consumer contract law. In addition, the book ties the discussion concerning the reference texts back to the pertinent historical and comparative background; and it thus investigates whether, and to what extent, these texts can be taken to be genuinely European in nature, ie to constitute a manifestation of a common core of European contract law. Where this is not the case, the question is asked whether, and for what reasons, they should be seen as points of departure for the further development of European contract law.

The teaching of contract law has traditionally been concerned with examining and explaining the complex doctrinal rules of contract law developed by statute and common law. Recently, however, law teachers have begun to see the advantages of teaching the subject from a more theoretical standpoint. Textbooks and casebooks have, with one or two notable exceptions, failed to recognize this change. By contrast, this new book takes as its starting point the need to mix theoretical approaches with the study of cases and statutes and thereby offers students a richer, more varied, and more interesting selection of materials than can be found in any other comparable book on the subject. The materials are held together by a lucid and critical commentary provided by the authors, who also provide notes on further reading and exam-style questions to conclude each section.

The Modern Law of Contract is a clear and logical textbook, written by an experienced author team with well over 50 years' teaching and examining experience. Fully updated to address the Consumer Rights Act 2015 and recent key cases in Contract Law, it offers a carefully tailored overview of all key topics for LLB and GDL courses. The book also includes a number of learning features designed to enhance comprehension and aid exam preparation, allowing the reader to: " understand and remember core topics: boxed chapter summaries offer a useful checklist for students, while illustrative diagrams help to clarify difficult concepts; " identify important cases and assess their relevance: "Key case" features highlight and contextualise the most significant cases; " reflect on how contract law operates in context: highlighted "For thought" features ask students to consider "what if" scenarios, while "in focus" features offer critical commentary on the law; " consolidate learning and prepare for assessment: further reading lists and comparison website directions at the end of each chapter direct you to additional interactive resources to test and reinforce your knowledge. Clearly written and easy to use, The Modern Law of Contract enables undergraduate students of contract law to fully engage with the topic and gain a profound understanding of this fundamental area.

This book presents a critical analysis of the rules on the contents and effects of contracts included in the proposal for a Common European Sales Law (CESL). The European Commission published this proposal in October 2011 and then withdrew it in December 2014, notwithstanding the support the proposal had received from the European Parliament in February 2014. On 6 May 2015, in its Communication 'A Digital Single Market Strategy for Europe', the Commission expressed its intention to 'make an amended legislative proposal (...) further harmonising the main rights and obligations of the parties to a sales contract'. The critical comments and suggestions contained in this book, to be understood as lessons to learn from the CESL, intend to help not only the Commission but also other national and supranational actors, both public and private (including courts, lawyers, stakeholders, contract parties, academics and students) in dealing with present and future European and national instruments in the field of contract law. The book is structured into two parts. The first part contains five essays exploring the origin, the ambitions and the possible future role of the CESL and its rules on the contents and effects of contracts. The second part contains specific comments to each of the model rules on the contents and effects of contracts laid down in Chapter 7 CESL (Art. 66-78). Together, the essays and comments in this volume contribute to answering the question of whether and to what extent rules such as those laid down in Art. 66-78 CESL could improve or worsen the position of consumers and businesses in comparison to the correspondent provisions of national contract law. The volume adopts a comparative perspective focusing mainly, but not exclusively, on German and Dutch law.

The Modern Law of Contract is a clear and logical textbook, written by an experienced author team with well over 50 years' teaching and examining experience. Fully updated to address the Consumer Rights Act 2015 and recent key cases in Contract Law, it offers a carefully tailored overview of all key topics for LLB and GDL courses. The book also includes a number of learning features designed to enhance comprehension and aid exam preparation, allowing the reader to: 'understand and remember core topics: boxed chapter summaries offer a useful checklist for students, while illustrative diagrams help to clarify difficult concepts; 'identify important cases and assess their relevance: 'Key case' features highlight and contextualise the most significant cases; 'reflect on how contract law operates in context: highlighted 'For thought' features ask students to consider 'what if' scenarios, while 'in focus' features offer critical commentary on the law; 'consolidate learning and prepare for assessment: further reading lists and comparison website directions at the end of each chapter direct you to additional interactive resources to test and reinforce your knowledge. Clearly written and easy to use, The Modern Law of Contract enables undergraduate students of contract law to fully engage with the topic and gain a profound understanding of this fundamental area.

This book assesses the state of international sales law and the provisions of the CISG.

The book is divided into four parts: the introduction; the creation of contracts; contract, power, and justice; and the ending of contracts. Within each part the traditional components of contract law are looked at in separate chapters. This book is an ideal teaching book for first-year undergraduates studying contract law for the first time.

Criminal Law 8/E Criminal Law is a trusted, clear and engaging explanation of the main principles and offences of criminal law. This book lights a clear path through an area that has experienced much change, explaining the law as it stands but also considering proposals for reform so that the reader gains an understanding of the development of the law. The book also considers Commonwealth and US law at appropriate places. Law of Contract 8/E Law of Contract provides a clear and engaging explanation of the main principles of contract law. This book guides students through each topic, explaining how the law currently operates but also considering debate on reform to provide an understanding of how the law may develop. English Legal System 8/E This best selling book on the English legal system is a trusted and authoritative introduction to the legal system of England and Wales, used and appreciated by many students. It provides a lively and comprehensive guide to this ever-changing area, offering critical analysis of the existing laws and discussion of reform options, necessary for a good appreciation of the subject. Asking The Right Questions: A Guide to Critical Thinking 8/E This highly popular text helps students bridge the gap between simply memorizing or blindly accepting information, and the greater challenge of critical analysis and synthesis. It teaches them to respond to alternative points of view and develop a solid foundation for making personal choices about what to accept and what to reject. How to Write Better Law Essays: Tools & Techniques for success in exams and assignments 1/E This guide provides clear instructions on writing legal essays, exam answers and dissertations for undergraduate law, and CPE/GDL courses. Throughout the book the author identifies key characteristics of both good and bad techniques in writing, allowing students to see practical examples of best practice.

This volume provides an advanced analysis of the law of contract for undergraduate courses covering the law of contract and the law of obligations.

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