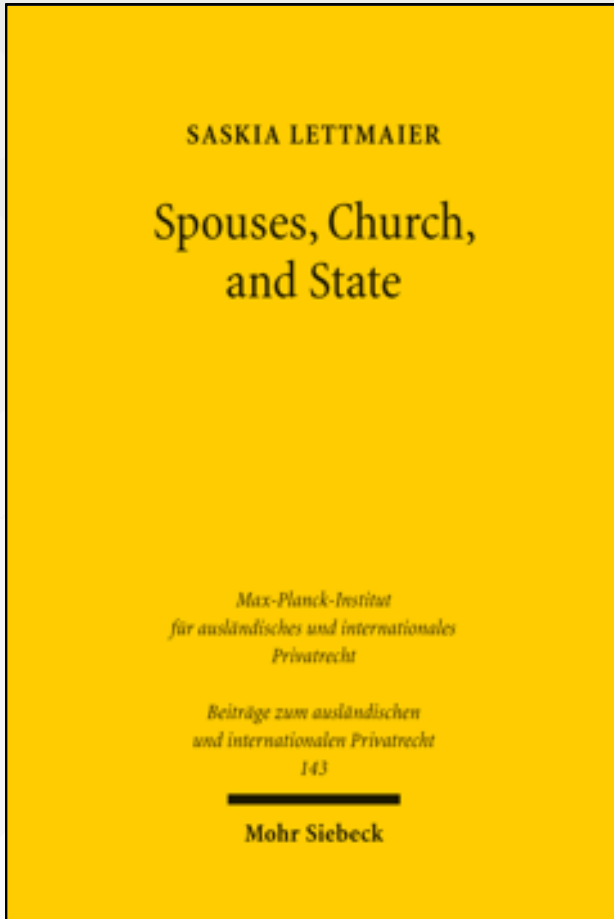




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by
Saskia Lettmaier

ISBN 9783161624933
cloth €114.00
2025, XIX, 415 pp

About the Book

Saskia Lettmaier explores what is arguably the greatest transformation to have occurred within the Western law of marriage in the last five hundred years: the shift from a unified marital order, legislated and adjudicated by a universal church and influenced by theological principles, to a non-unified marital order, legislated and adjudicated by separate and sovereign states and influenced by secular principles. These principles included the idea that it is best for everyone concerned that a marriage that has been emotionally outgrown by at least one partner should be freely dissoluble. She analyzes how and why this shift occurred, and why it occurred differently in different territories. Through the lens of the experiences of England and Protestant Germany (with a focus on Prussia), she explains not only the legal changes themselves, but also how and why the different nations developed specific approaches to marriage law.

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Conclusion: What Causes Legal Secularization?

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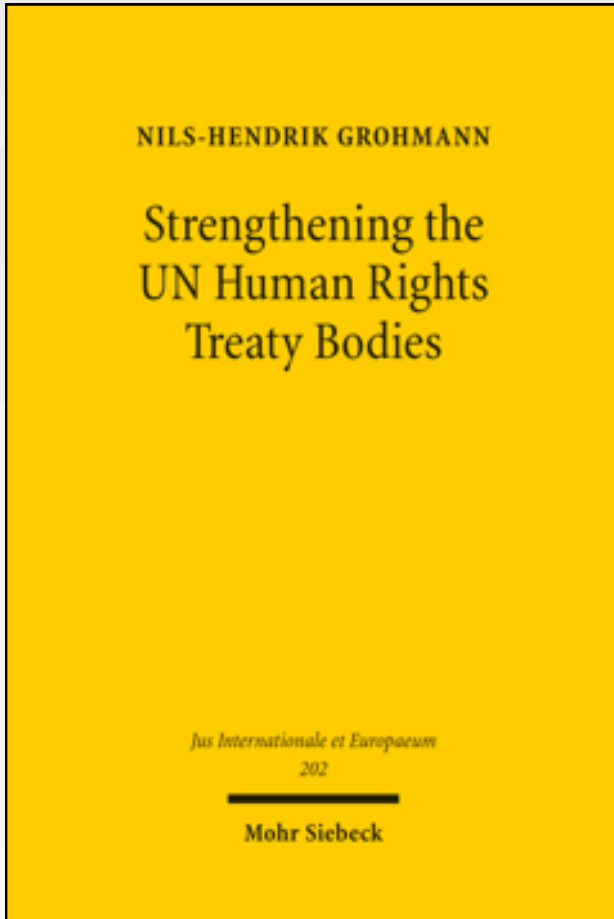
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by
Nils-Hendrik Grohmann

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sewn paper €84.00
2024, XV, 315 pp

About the Book

The UN human rights treaty bodies are still in need of reform, since past initiatives were not as successful as hoped. Therefore, to secure the effective dischargement of their various mandates, particularly under the reporting procedure, the Committees need to be reformers on their own. NilsHendrik Grohmann delineates the Committees' powers from both a practical and theoretical perspective and demonstrates how far their legal mandates can reach. Effectiveness-orientated interpretation of procedural provisions that already endow the Committees with certain powers, allows for the extension of mandates. Thereby, the Committees can introduce new powers without State consent. In doing so, they are well-advised to approach the reporting procedure holistically, to develop coherent procedural approaches and to take into consideration the considerable overlap in terms of substantive provisions under the nine UN human rights treaties. Another key factor for reform is cooperation itself among the Committees, which increased in recent years through the Meeting of Chairpersons.

This publication was supported by funds from the Publication Fund for Open Access Monographs of the Federal State of Brandenburg, Germany.

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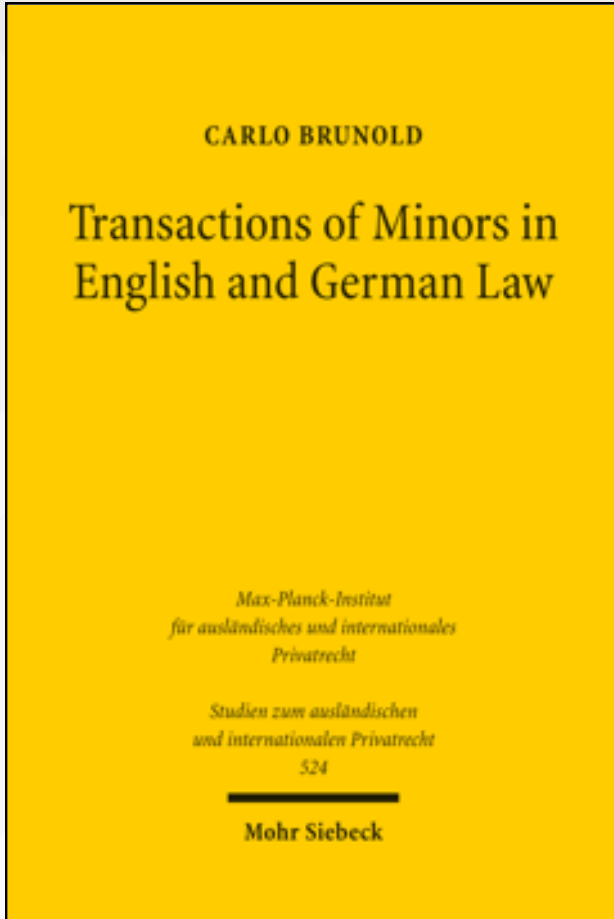
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by
Carlo Brunold

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2024, XX, 236 pp

About the Book

Carlo Brunold's comparative legal analysis of the limitations placed on minors' ability to enter into and execute transactions in English and German law distinguishes between the laws of contract, property, and restitution of unjust enrichment to reveal the strengths and weaknesses of the two jurisdictions' strongly differing approaches. Whereas under English law minors can, in general, enter into contracts and perform their duties despite the fact that these contractual duties cannot be enforced against them, German law shifts the control over minors' transactions almost entirely to their parents, who can also enter into and execute transactions on behalf of their children. The latter concept is alien to English law, even though parents in both jurisdictions are subject to fiduciary duties with regard to their children's assets.

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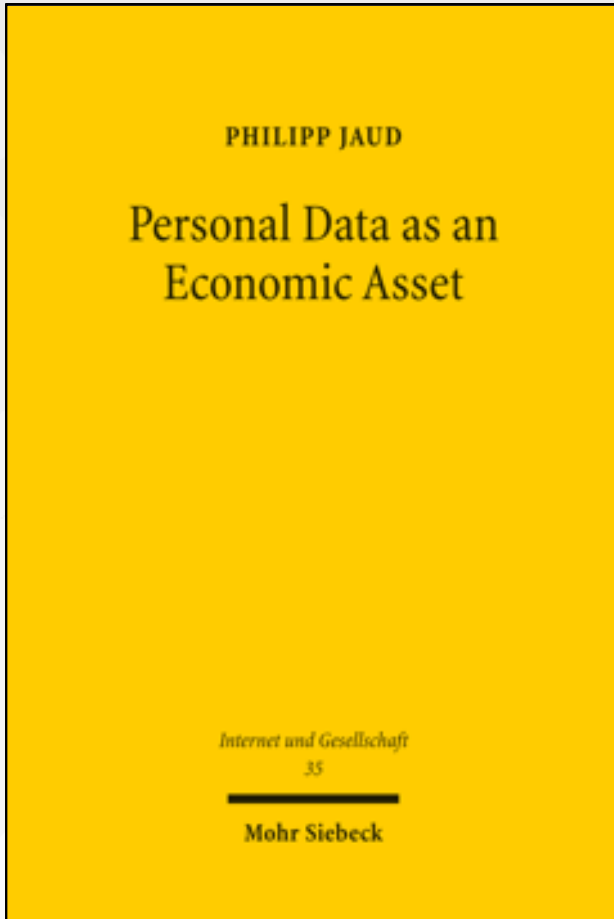
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by
Philipp Jaud

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2024, XVI, 249 pp

About the Book

Philipp Jaud explores the compatibility of personal data as an economic asset with the European Union's Charter of Fundamental Rights. By analysing the nuanced nature of personal data, the contextual interpretation of the Court of Justice of the EU is brought into focus, with the author delving into data monetisation, profiling, and breaches to highlight the variable value of personal data. Emphasising data subjects' rights, ownership debates and proposals for legal frameworks are discussed, while legislative responses and challenges in the digital age are scrutinised and a balanced approach is advocated for. The Charter's applicability to economic data use is explored, underlining fairness, transparency, and consent. The conclusion allows the reader to contemplate the potential alignment of economic data use with the Charter, accentuating individual autonomy within evolving legal frameworks and societal consciousness.

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Edited by
Madalena Perestrelo de Oliveira
António Garcia Rolo

ISBN 9783161637001
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2024, XII, 288 pp

About the Book

The Lisbon Centre for Research in Private Law (CIDP)'s research project Lisbon DAO Observatory is on a mission to find answers to the questions regarding the legal challenges and the current legal state of decentralised autonomous organisations (DAOs) and similar arrangements that will help shape future legislative action. In April 2023, the project held an international conference on DAO regulation that gathered top-tier scholars, industry players and practitioners from all over the world to discuss how any prospective legislative intervention, recognition or regulation of DAOs should be crafted. This volume is the result of the knowledge shared and gained during this ground-breaking conference and includes discussions on the future form of regulation (direct legislative intervention, self-regulation or no regulation) as well as on major topics such as mandatory decentralisation, legal personality, governance structures, limited liability, plus crucial sectorial issues, including dispute resolution, civil liability, tax law and conflict of laws.

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Martin Winner

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2024, VIII, 356 pp

About the Book

Thanks to various European Union regulations, sustainable finance has become a huge and wide-ranging topic that profoundly impacts international companies. Taking the »European Green Deal« as its starting point, the aim of this collection is to provide the first comprehensive overview of a highly complex matter. Each contribution from fourteen member states contains a detailed report on the specific legal situation in the respective country and outlines what further action may be planned. With the volume's help, readers will be able to identify quickly and easily where minimalistic harmonisation of regulations has resulted in serious discrepancies between individual countries.

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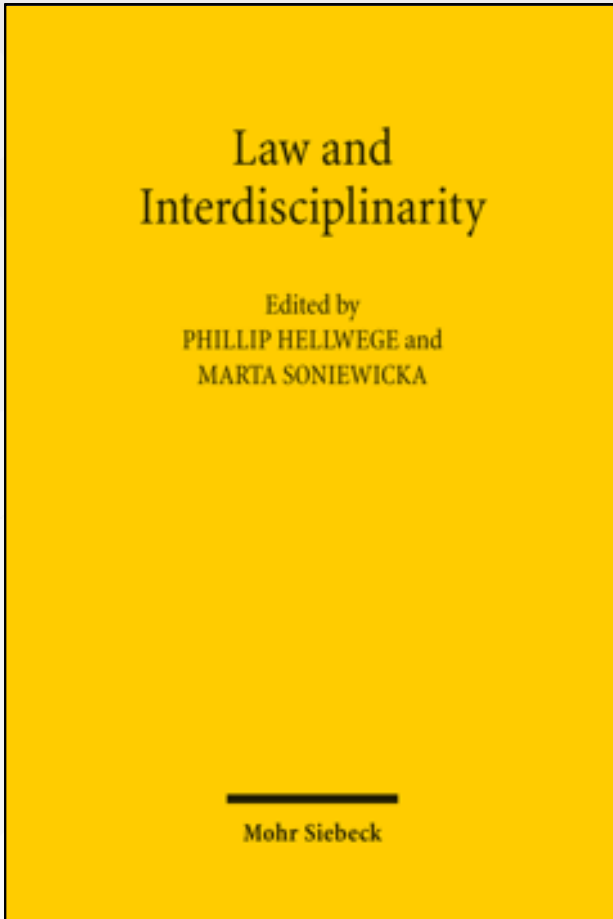
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Phillip Hellwege
Marta Soniewicka

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2024, XIII, 527 pp

About the Book

Continental European legal scholarship witnesses a trend towards more interdisciplinary research. This trend raises numerous questions: What do legal scholars mean when referring to the concept of interdisciplinarity? Is it possible to distinguish different types of interdisciplinarity? What are the functions of interdisciplinary arguments in legal debates? Are there common problems which legal scholars face when engaging in interdisciplinary research? Is there an interdependence between a given national legal system and interdisciplinary research? Despite the trend towards more interdisciplinarity in legal scholarship, it seems that these and related questions have hitherto not attracted much attention. The present volume explores these questions using a bottom-up approach, offering reflections by legal scholars on interdisciplinary legal research in their fields of expertise.

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Hermeneutics Between Berlin and Paris

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Tim Mehigan and
Christian Moser



Reality and Hermeneutics 9

Mohr Siebeck

Edited by
Tim Mehigan
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ISBN 9783161639265
hardcover €89.00
2025, VIII, 248 pp

About the Book

This volume presents a series of forays into the domain of recent hermeneutic reflection in search of an ethics for our time which, as the rupture of (post-Kantian) Berlin and (poststructuralist) Paris hermeneutics implies, cannot be reliably located in the province of either. The contributors put in the spotlight not only the problem of the disjuncture in hermeneutics between a philosophically and a linguistically informed project of understanding; they also introduce new positions that have the potential to reorient the search for ethics in a post-religious era. The most promising of these new positions seek to move beyond the terms of both Berlin and Paris hermeneutics, configuring the process of world-making in art and literature as a limited undertaking where the ethical 'tertium comparationis' is never truly available. The volume therefore supposes that the literature of our time develops its own variety of ethics - and, indeed, of hermeneutics - which does its work in areas not directly available to philosophy or political theory.

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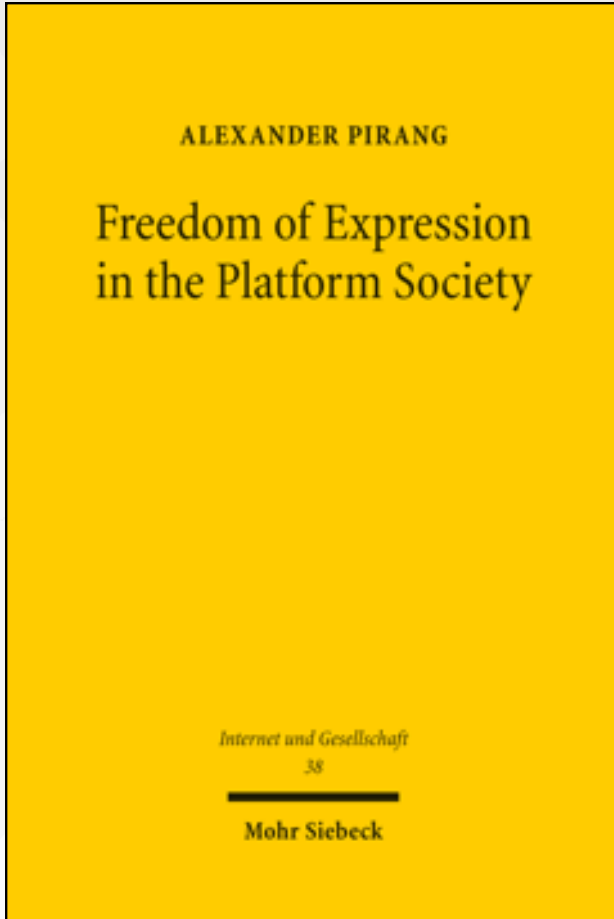
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by
Alexander Pirang

ISBN 9783161639623
sewn paper €99.00
2024, XIX, 430 pp

About the Book

The Digital Services Act aims to tackle illegal online speech by delegating content moderation tasks to platform providers. However, this approach is blurring the boundaries between public and private restrictions of platform users' freedom of expression, which raises the question whether platform regulation allows legislators to launder state action through private companies. Alexander Pirang examines how the right to freedom of expression enshrined in the European Union's Charter of Fundamental Rights and the European Convention on Human Rights can function as a constraint on public authority power to regulate online platforms. Specifically, he analyzes how public authorities can be held responsible for speech restrictions enforced by platform providers. He also explores how such restrictions can be justified, with a focus on the necessary safeguards against the over-blocking of lawful content.

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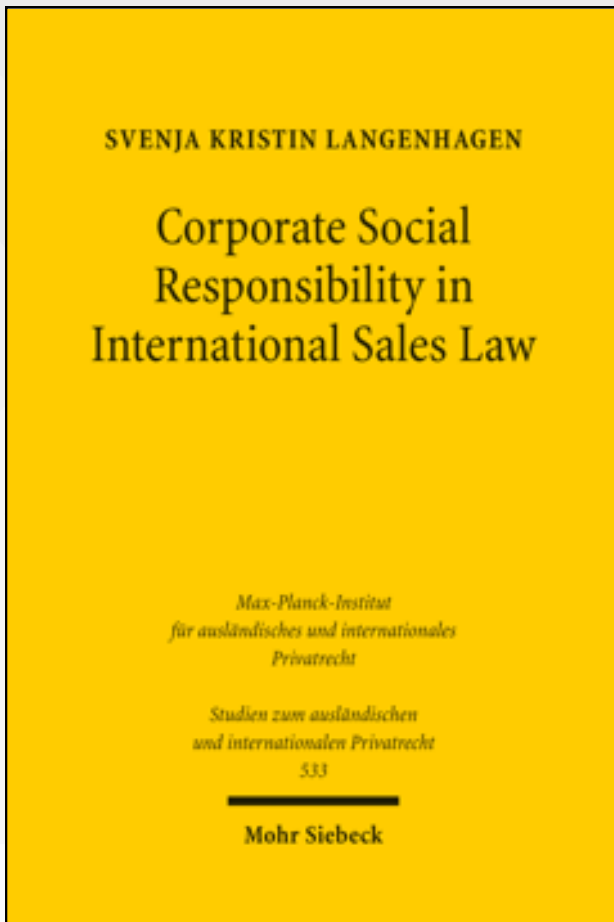
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by
Svenja Kristin Langenhagen

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2025, XXIV, 419 pp

About the Book

Particularly at the regulatory and economic level, it is increasingly the case that companies must fulfil their responsibility for human rights and environmental protection along their transnational supply chains. Svenja Kirstin Langenhagen analyses the interplay between Corporate Social Responsibility (CSR) and the UN Convention on Contracts for the International Sale of Goods of 1980 (CISG), which, due to its character as a uniform law, potentially governs more than 80% of international sales and thus offers the opportunity to create a new international economic order in terms of CSR and transnational supply chains. In addition to the economically analysed question of the practical applicability of the CISG in the field of CSR, she examines the interactions of private law and human rights law with regard to the conformity of goods, the buyer's obligation to give notice of defects and the buyer's remedies, as well as the question of the seller's exemption from liability.

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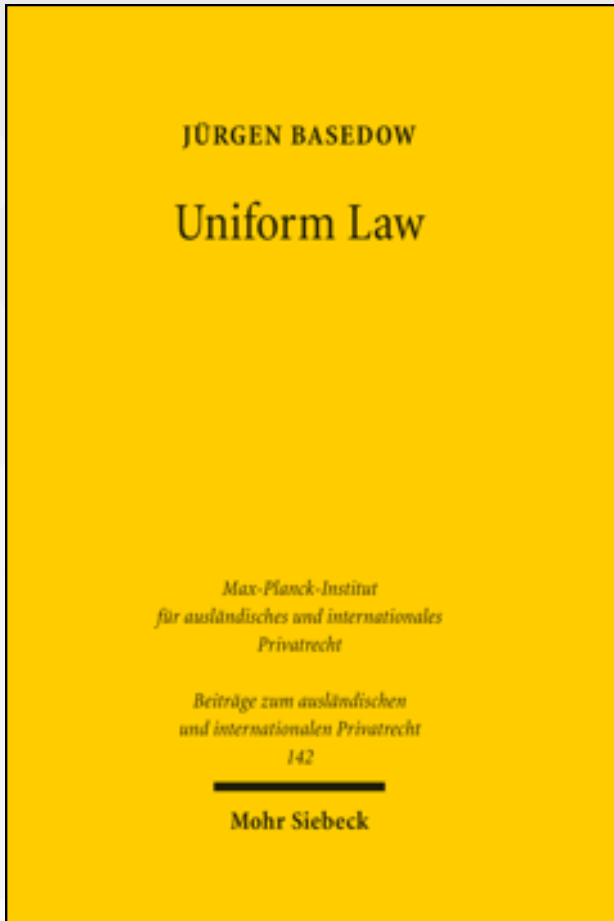
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by
Jürgen Basedow

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2024, XXX, 525 pp

About the Book

Decentralised law-making is an inescapable consequence of a global order built on sovereign States, and the steadily advancing process of globalisation demands an even greater harmonisation of rules and principles. Yet uniform law is usually approached on a sectoral basis, with specialists looking into the specific areas of their discipline only. In addition, in many cases the result of harmonisation and its implementation are the sole objects of interest. As a consequence, little attention is paid to the general structures of uniform law, the features inherent in the structure of uniform law or the underlying methods of unification. But the substance of unified rules and principles and their application in legal practice is in fact influenced by their underlying framework. It is therefore necessary to look at the specific instances of uniform law in the context of this general framework. In an overarching analysis, the author of this book explores this general framework of uniform law. He clarifies the concept of uniform law and identifies the drivers of and obstacles to unification. Against this background, the different actors who promote uniform law are examined, as are the various forms and extent of uniform law. After providing a description of the relationship between uniform and municipal law, the author considers the operation of treaty law and public international law in relation to uniform law conventions, before concluding with the topic of non-binding unification.



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