

# Contents

## Preface

vii

## PART I FOUNDATIONS

<b>1 Defining law and globalisation</b>	
1.1 Introduction	3
1.2 <i>Assumptions challenged</i>	3
1.3 <i>Purpose and structure of this book</i>	6
	9

## 2 Globalisations in time

2.1 Introduction	12
2.2 Past globalisations	12
2.3 Globalisation and hybrid legal systems	13
2.4 Conclusion	23
	26

## PART II LEGAL GLOBALISATIONS

<b>3 Comparative law and global law</b>	
3.1 Introduction	31
3.2 Global law	31
3.3 Comparative law	33
3.4 Can comparative law and global law coexist?	37
3.5 Different versions of universalism	40
3.6 Conclusion	43
	46
<b>4 Globalising legalities</b>	
4.1 Introduction	48
4.2 Rule of law	49
4.3 Global constitutionalism	49
4.4 <i>Lex mercatoria</i>	63
4.5 The role of judicial internationalisation	77
4.6 Globalisation or globalisations?	86
4.7 Conclusion	89
	94

## PART III THEORY AND METHODOLOGY

<b>5 Theorising globally</b>	<b>99</b>
5.1 Introduction	100
5.2 Culture-bound theories	103
5.3 Global legal theories?	112
5.4 Conclusion	117
<b>6 Methodological views</b>	<b>119</b>
6.1 Introduction	119
6.2 Disappearing legal centralism?	121
6.3 Methodological pluralism	128
6.4 Conclusion	132

## PART IV EDUCATION AND LANGUAGE

<b>7 Educating lawyers</b>	<b>137</b>
7.1 National orientation in legal education	138
7.2 Global legal education?	141
7.3 Conclusion	145
<b>8 Language of law and legal globalisation</b>	<b>147</b>
8.1 Introduction	147
8.2 Legal language	148
8.3 Global legal language	151
8.4 Conclusion	159
<b>9 Conclusion</b>	<b>161</b>
9.1 Globalised legalities	161
9.2 Cosmopolitanism after all?	164
<i>Index</i>	167