CONTENTS

Foreword by Norbert Reich vii List of abbreviations ix

Introduction 1

JAMES DEVENNEY AND MEL B. KENNY

- The Draft Common Frame of Reference in relation to English contract law

 STEPHEN WADDAMS
- The Draft Common Frame of Reference and European contract law: moving from the 'academic' to the 'political' 23

 PAULA GILIKER
- The Europeanisation of contract law and the role of comparative law: the case of the Directive on Consumer Rights 45

 CRISTINA AMATO
- The private law dimension to the 'state of the Union':
 (D)CFR/CESL initiatives and the Europeanisation
 of private law 63

 JAMES DEVENNEY AND MEL B. KENNY
- 5 European contract law: how to exclude land? 78
 PETER SPARKES
- Harmonisation and its discontents: a transaction costs critique of a European contract law 100 ROGER HALSON AND DAVID CAMPBELL

- 7 Theory and practice of constructing a common contract law terminology 131
 CHIARA PERFUMI
- Private law discourse and scholarship in the wake of the Europeanisation of private law 148

 OLHA CHEREDNYCHENKO
- 9 Contract codification and the English: some observations from the Indian Contract Act 1872 172

 WARREN SWAIN
- 10 Consequences of implementing EU legislation: an Estonian experience 196

 IRENE KULL AND SANDER KÄRSON
- The impact of Europe on Irish contract law 208 CLIONA KELLY
- The Europeanisation of insurance contract law: the insurer's duty to advise and its regulation in German and European law 235

 PIOTR TERESZKIEWICZ
- European contract law-making and development: lessons from the Unfair Contract Terms Directive's price term exemption 256

 MICHAEL SCHILLIG
- 14 Enforcement or compensation? Damages actions in EU law after the Draft Common Frame of Reference 276

 DOROTA LECZYKIEWICZ
- Consumer complaints and alternative dispute resolution:
 harmonisation of the European ADR system 295
 IMMACULADA BARRAL-VIÑALS
- Conclusions: the transformation of European private law 316

 JAMES DEVENNEY AND MEL B. KENNY

Index 326