New Directions in Comparative Law

Edited by
Antonina Bakardjieva Engelbrekt
Professor of European Law, Stockholm University, Sweden
Joakim Nergelius
Professor of Law, Örebro University, Sweden

Edward Elgar
Cheltenham, UK • Northampton, MA, USA
## Contents

*List of contributors* vii  
*List of abbreviations* ix  
*Preface by Joakim Nergelius* xi  

**Introduction** xiii  
*Antonina Bakardjieva Engelbrekt and Joakim Nergelius* xiii  

### PART I  COMPARATIVE LAW, LEGAL AID AND DEVELOPMENT

1. Legal change and economic performance: an assessment  
   *Gianmaria Ajani*  
   3  
2. Legal cartography and comparative law  
   *Per Bergling*  
   19  
3. Development assistance in the legal field: promotion of market economy v human rights  
   *Michael Bogdan*  
   33  
   *Claudio Corradetti*  
   40  
5. ‘Cut-and-paste’? Rule of law promotion and legal transplants in war to peace transitions  
   *Richard Zajac Sannerholm*  
   56

### PART II  COMPARATIVE CONSTITUTIONAL LAW

6. Ontological and epistemological complexity in comparative constitutional law  
   *Otto Pfersmann*  
   81  
7. European constitutional law: its notion, scope and finalities  
   *Rainer Arnold*  
   99  
8. Governmental accountability in autonomies: Åland Islands in comparison with select autonomies in Europe and elsewhere  
   *Markku Suksi*  
   108
9. The viability of constitutional/non-constitutional comparison
   Johan Lindholm

10. Comparative aspects of fundamental rights in Germany and Central and Eastern Europe: the example of Ukraine
    Kateryna Karpova

PART III COMPARATIVE PRIVATE AND ECONOMIC LAW

11. Making the Principles of European Contract Law: theoretical and methodological aspects
    Ole Lando

12. The questionable questionnaire: reflections on comparative law method in light of Principles of European Tort Law
    Mårten Schultz

13. Legal services in conveyancing: a European comparison
    Christoph U. Schmid

14. Constitutionalisation of private law
    Anna Lytvynyuk

15. Toward an institutional approach to comparative economic law?
    Antonina Bakardjieva Engelbrekt

CONCLUSION

16. Modern comparative law: the forces behind and the challenges ahead in the age of transnational harmonisation
    Peter-Christian Müller-Graff

Index