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this volume explores the philosophical concept of exploitation in the law relating to the formation of contracts it discusses the criteria for a claim of legal contractual exploitation these criteria reveal a conception of exploitation that is sensitive to the conceptual institutional and administrative distinctions associated with the classic liberal conception of the contract the consequences of this conception of exploitation upon the contract law doctrines of unconscionable dealing duress and undue influence are examined in depth readership scholars practitioners judges

this volume presents global and comparative perspectives on the perpetual pendular movement of family law between status and contract it contributes to the topical academic debate on family law exceptionalism by exploring the blurred lines between public law private law and family law and sheds light on the many shades of grey that exist the contributions focus on both substantive and procedural family law on parents and children and on life partners with particular attention for contractual arrangements of family formations and of conflict resolution the hypothesis underlying all contributions was the trend towards contractualisation of family law a convergent research outcome resulting from the comparison of national reports was the ambivalent position of family law in legal systems worldwide that comparison shows that whereas family law is clearly moving towards contract with regard to old family formations the contrary is true for new family formations the movement towards contract is rarely considered to be contractualisation pur sang with civil effect the movement towards status finally does not necessarily witness family law exceptionalism vis à vis private law in view of the increasing state interventionism in private law relations in general in sum as the volume shows the high permeability of the demarcations between the state

the family and the market impedes a categorial approach this volume is based on the general and selected national reports on the topic contractualisation of family law that were presented at the sixth international congress of comparative law in vienna in july 2014

this book is the second in a series of essay collections on defences in private law it addresses defences to liability arising in unjust enrichment the essays are written from a range of perspectives and methodologies some are doctrinal others are theoretical and several offer comparative insights the most important defence in this area of the law change of position is addressed in detail but many other defences are treated too as well as the interrelations between these defences within the law of unjust enrichment the essays offer novel claims and ways of looking at problems in this challenging area of legal study

vols 9 17 include decisions of the war labor board

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