

UNITED KINGDOM NATIONAL COMMITTEE OF COMPARATIVE LAW
(*In association with the Kent Centre for European and Comparative Law*)

Society of Legal Scholars Joint Annual Conference Session
University of Keele
Monday 4 September 2006

PROGRAMME
(Provisional)

**Methodology and Interdisciplinarity in Comparative Law in an Age of
Globalisation**

08.30: Arrival and welcome (hopefully coffee sponsored by Kent Centre)

First Session: 09.00-10.45

Chair: Geoffrey Samuel

09.00: General introduction (Geoffrey Samuel, Chair UKNCCCL)

09.15: Peter Jaffey (Brunel): 'Classification in Private Law'

09.45: Discussion

10.00: John Bell (Cambridge): 'Public Law in Europe: Further Reflections'

10.20: Camilla Andersen (Leicester) 'The Methodology of Comparing
Stateless Legislation'

10.40: Discussion

10.50: Coffee

Second Session: 11.15-13.00

Chair: Paula Giliker

11.15: Philip Wood (Allen & Overy): 'Towards a New Taxonomy of
Commercial and Financial Law'

11.45: Discussion

12.00: Nicholas Foster (SOAS) (tba)

12.30: Discussion

12.45: General observations and closing discussion (Geoffrey Samuel)

13.00: Lunch

14.00: SLS Comparative Law Subject Section (Convenor: Susan Millns)
(See separate SLS programme)

[15.30: Tea]

ABSTRACTS

Peter Jaffey, Classification in Private Law

Legal claims may be described as contractual, tortious, proprietary, restitutionary, compensatory, fiduciary, or they may be said to be part of the law of obligations or private law or the law of wrongs or unjust enrichment, etc. Abstract concepts like these are often used without explanation or elaboration in legal reasoning, but persistent confusion or controversy in the law is often due to latent disagreements about what they mean. Part of understanding such concepts involves characterising them as categories in a scheme or schemes of legal classification, which shows the kind of concept in issue, and how it relates to other concepts or kinds of concept, and determining what role if any that kind of concept plays in legal reasoning. The types of classification that will be considered are classification by justification, by remedy, and by what will be referred to as "modality". I will consider some misconceptions about classification and identify what appear to me to be some examples of mistakes of legal reasoning arising from errors of classification.

Philip Wood, Towards a New Taxonomy of Commercial and Financial Law'

This talk will select five key indicators of commercial and financial law as guides to the overall bias of jurisdictions (these indicators are completely different from those normally selected) and discuss other eligible indicators. The talk will be illustrated by maps of world law, mainly in the financial area.