

# Contents

<i>Preface to the third edition</i>	viii
<i>Preface to the second edition</i>	x
<i>Preface to the first edition</i>	xii
<i>Introduction</i>	xv
<i>Abbreviations</i>	xviii
<i>Websites and journal sources</i>	xx
<i>Table of cases</i>	xxiii
<i>Table of legislation</i>	lx

## 1 **Constitutions** 1

<i>I</i>	<i>INTRODUCTION</i>	<i>1</i>
<i>II</i>	<i>WRITTEN OR UNWRITTEN</i>	<i>2</i>
<i>III</i>	<i>AMENDMENT</i>	<i>5</i>
<i>IV</i>	<i>FEDERAL OR UNITARY</i>	<i>7</i>
<i>V</i>	<i>SEPARATION OF POWERS</i>	<i>12</i>
<i>VI</i>	<i>SOURCE AND HIERARCHY OF LEGAL RULES</i>	<i>16</i>
<i>VII</i>	<i>STATUS OF INTERNATIONAL TREATIES AND EUROPEAN UNION LAW</i>	<i>20</i>
<i>VIII</i>	<i>DEMOCRACY</i>	<i>27</i>
<i>IX</i>	<i>LEGISLATIVE COMPETENCE</i>	<i>30</i>
<i>X</i>	<i>NATURE OF LEGISLATURE</i>	<i>32</i>
<i>XI</i>	<i>LEGISLATIVE PROCEDURE</i>	<i>36</i>
<i>XII</i>	<i>HEADS OF STATE</i>	<i>39</i>
<i>XIII</i>	<i>HEADS OF GOVERNMENT</i>	<i>41</i>
<i>XIV</i>	<i>GOVERNMENTS</i>	<i>42</i>
<i>XV</i>	<i>POLITICAL PARTIES</i>	<i>44</i>
<i>XVI</i>	<i>CONSTITUTIONAL COURT</i>	<i>47</i>
<i>XVII</i>	<i>THE JUDICIARY</i>	<i>55</i>
<i>XVIII</i>	<i>EMERGENCIES</i>	<i>58</i>

<b>2</b>	<b>Legal systems</b>	61
I	FORMS OF LAW	62
II	CLASSIFICATION OF LAW	85
<b>3</b>	<b>Court systems</b>	91
I	EUROPEAN JUDICIAL BODIES	91
II	CONSTITUTIONAL COURTS	93
III	HIERARCHY OF COURTS	93
IV	COURT DECISIONS	94
V	CIVIL COURTS	95
VI	CRIMINAL COURTS	101
VII	ADMINISTRATIVE COURTS	106
VIII	FAMILY COURTS	109
IX	COMMERCIAL COURTS	109
X	EMPLOYMENT COURTS	110
XI	SOCIAL SECURITY	111
XII	CONFLICTS BETWEEN THE SYSTEMS	113
<b>4</b>	<b>Human rights</b>	115
I	GENERALLY	117
II	RIGHTS OF EXISTENCE AND SELF-DETERMINATION	142
III	RIGHT TO LIBERTY	167
IV	PROCEDURAL RIGHTS	184
V	EQUALITY	220
VI	PERSONAL RIGHTS	240
VII	COMMUNITY RIGHTS	280
VIII	RIGHT TO PROPERTY	328
IX	RIGHTS OF PERSONAL DEVELOPMENT	343
X	EXCLUSION FROM STATE TERRITORY	357
XI	LIMITATION OF HUMAN RIGHTS IN SPECIAL CIRCUMSTANCES	359
<b>5</b>	<b>Torts</b>	364
I	GENERAL PRINCIPLES	366
II	SPECIFIC CATEGORIES OF LIABILITY	399
III	PARTIES	468
IV	CAUSATION	486
V	DEFENCES	507
VI	REMEDIES	511
VII	LIMITATION OF ACTIONS	538

**6 Contracts**

543

<i>I</i>	<i>NATURE OF CONTRACTS</i>	543
<i>II</i>	<i>CONCEPT OF A CONTRACT</i>	545
<i>III</i>	<i>FORMATION OF CONTRACTS</i>	547
<i>IV</i>	<i>INTENTION TO CREATE LEGAL RELATIONSHIPS</i>	561
<i>V</i>	<i>LETTERS OF INTENT AND PRELIMINARY CONTRACTS</i>	563
<i>VI</i>	<i>THE NEED FOR A BARGAIN</i>	565
<i>VII</i>	<i>VARIATION OF CONTRACTS</i>	569
<i>VIII</i>	<i>CERTAINTY</i>	572
<i>IX</i>	<i>FORM</i>	575
<i>X</i>	<i>CONTRACTUAL CAPACITY</i>	580
<i>XI</i>	<i>EFFECT ON THIRD PARTIES</i>	584
<i>XII</i>	<i>VITIATING FACTORS</i>	588
<i>XIII</i>	<i>CONTENT OF CONTRACTS</i>	634
<i>XIV</i>	<i>EXTENT OF CONTRACTUAL LIABILITY</i>	662
<i>XV</i>	<i>REMEDIES FOR BREACH OF CONTRACT</i>	673
<i>XVI</i>	<i>LIMITATION</i>	684

*Bibliography* 689

*Index* 693