

The Common Frame
of Reference:
A View from Law & Economics

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edited by
Gerhard Wagner


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Preface

The present volume has grown out of a workshop held in Bonn on 21 and 22 November 2008. The Rheinische-Friedrich-Wilhelms University is one of the few universities in Germany which still combines the teaching of law and of economics in one faculty. This institutional setting calls for collaboration and, in fact, the exchange of ideas between the law and the economics branches of the faculty has become more and more intense over the years. Hence, when the Draft Common Frame of Reference of European Private Law (DCFR) was published in early 2008, it was immediately discussed between *Urs Schweizer*, *Wulf-Henning Roth* and myself, mostly over lunch. In the course of these discussions, the idea emerged to bring lawyers and economists together in order to jointly explore the legal and economic implications of the DCFR. As *Urs Schweizer* was a member of the Economic Impact Group, which was set up to analyze the DCFR from an economic point of view, we invited the members of this group, together with legal scholars who use economic analysis or who at least have an open ear for the teachings of this discipline. The workshop turned out to be inspiring indeed as it added a fresh perspective to the legal discussion of the many controversial issues raised by the DCFR. The papers prepared by the legal scholars involved in this enterprise are published in the present volume whereas the works of the members of the Economic Impact Group will appear separately, albeit with the same publisher.

First of all, I want to thank *Urs Schweizer* and *Wulf-Henning Roth* who helped to set the agenda and to organize the workshop. Additional thanks go to the authors of the present volume who stood ready to revise their papers at the last minute in light of the recently published 2009 edition of the DCFR. Ms *Thekla Hildebrand* took great care to streamline the citations, to correct errors and to manage the files. I am indebted to her as well as to the other members of my team.

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Bonn, May 2009

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