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The Common Law of Obligations: Divergence and Unity

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The development of the law of obligations across the common law world has been, and continues to be, a story of unity and divergence. Its common origins continue to exert a powerful stabilizing influence, carried forward by a methodology that places heavy weight on the historical foundations of legal principles. Divergence is, however, produced by numerous factors, including national and international human rights instruments, local statutory regimes, civil law influences, regional harmonization, local circumstances and values, and different political and legal cultures. The essays in this collection explore the forces that produce divergence, the countervailing forces that generate cohesion and consistency in the common law of obligations, and the influence that the major common law jurisdictions continue to exert over one another in this area of law. The book explores the relationship between the English law of obligations and those of Australia, Canada, New Zealand, Singapore, and Hong Kong, making the book a valuable comparative resource. The contributions were originally presented at the Seventh Biennial Conference on the Law of Obligations held in Hong Kong in July 2014. A second collection - entitled Divergences in Private Law (ISBN 978 1 78225 660 1) - focuses on particular departures from the common law mainstream, the causes and effects of those deviations, and the extent to which they undermine the idea of the common law as a single, transnational body of law. [Subject: Contract Law, Comparative Law]

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