

A Nemzetközi Összehasonlító Jogi Akadémia 2018. július 22–28. közt Fukuokában (Japán) tartotta 20. Világkongresszusát, melynek — az Akadémia életében követett gyakorlat szerint — mintegy húsz főtémájából a sorrendben elsőnek a megvitatására Varga Csabát kérte fel az Akadémia elnöksége. Feladata abban állott, hogy az Akadémia nemzeti bizottságaitól jelölt egyes nemzeti szakértők nemzeti referátumainak az elkészítéséhez értelmezze az adott témát, vonja meg határait, jelöljön ki megválaszolandó kérdéseket, majd saját főreferátumában átfogó elméleti keretbe ágyazottan fejtsen is azt ki úgy, hogy egyszersmind szintetizálja a nemzeti referátumokban foglalt tapasztalatokat.

Előzményként az Előszó tájékoztat arról, hogy miként alakult az eredeti referensek s az elkészült referátumok száma, és az utóbbiak miféle változásaiból adódott a jelen gyűjteménynek három kontinens meglátásait összegző kilenc nemzeti referátuma.



***Comparative Law and Multicultural Legal Classes: Challenge or Opportunity?* ed. Csaba Varga (Cham: Springer 2020) x + 212 [Ius Comparatum - Global Studies in Comparative Law, volume 46]**

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- Discusses legal education in multicultural classes
- Illustrates comparative approaches to teaching law
- Examines the issue of legal families

This book discusses legal education in multicultural classes. Comparative law education is now widespread throughout the world, and there is a growing trend in developed countries toward teaching global law. Providing theoretical answers on how to describe each legal culture and tradition side-by-side, it also explores educational methodological options to address these aspects without causing offence or provoking tension within a multicultural student community. The book examines nine countries on three continents, bringing together academic views and educational insights from ten scholars in the field of comparative law.

Keywords: Taxonomy of legal orders / Families of law / Legal cultures / Legal education / Students' migration / Intercultural dialogue / Biases and resentments / Legal translation / Learning styles / Cross-cultural awareness

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Abstract:

Our thoughts are products of our own culture, tradition, and ideal of order, so their understanding and development can only be based upon them. However, cultures, traditions and ideals vary from time to time and from people to people, as each of them has been created and developed to respond to challenges under their own conditions given. Consequently, they are both independent of each other in their genesis and also incommensurable in their historical set; they are not even classifiable but only taxonomisable in a strict sense. Each of us lives and interprets his own world; when comparing, we attempt at putting all of them in a common hat, while none of us can transcend the symbolic paradox of “I interpret your culture through my culture”. A way out, if at all, can only result from their individual parallel characterisation, when we build up some kind of abstract philosophical universality from the ideals of order concerned. In the context of the Self, on the one hand, and of You, on the other, we are expected not only to explain the Other, but also to recognise it by its own right. Accordingly, legal comparison aims at getting knowledge not only of ‘law in books’ and ‘law in action’ but about what is meant by law when it works in the mind. All in all, comparison comprises, in addition to the mere act of taking cognisance, also the acceptance of this Other by its own right, in which no entity involved is simply reduced to anything purely factual (“what is the law?”), but the actuality of the entire normative process leading to a legal statement (“how do we think in law?”) is considered. Getting to know any foreign law begins with the grouping of laws and, expressed in terms of belonging to legal families, by combining those which are similar and contrasting those which are dissimilar. Their interaction and mixing are part of their life, but establishing their occurrence cannot substitute to the didactic necessity and explanatory power of analysing them in term of legal families as well. When describing them, mere contrast or parallelism is to be completed by showing up the specific field and way of ingenuity each of them may have in comparison to others, as their individual contribution to the cultural production of the humanity.

Keywords:

Implicit mono-epistemology of anthropological cognition / Cultural contexture / Classification or taxonomy / Ideals of order and legal families / Ingenuity of individual cultures

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