

FOREWORD

by

MAX KOHNSTAMM

President of the European University Institute

The idea of creating the European University Institute goes back to the early days of the European Community. It took a long time for the idea to be realised, but in the autumn of 1976 the first faculty and the first researchers started work at the home of our Institute, the Badia Fiesolana.

The Institute's mission, according to the Convention setting it up, is a twofold one: firstly, to contribute, by its activities in the fields of higher education and research, to the development of the cultural and scientific heritage of Europe; secondly, to be a forum for the exchange and discussion of ideas and experience in subjects falling within the areas of study and research with which it is concerned.

When it met to prepare our first academic year, the Academic Council of the European University Institute decided to organize regular colloquia, as a means to realise the second part of its mission. A study of the diversity and the common features of Europe's systems of law, a search for the common basis on which to found legal provisions applicable to those nations of Europe who would freely subscribe to them, was clearly part of the task entrusted to the Institute. The Academic Council therefore gratefully accepted Professor Mauro Cappelletti's proposal for a colloquium on « New Perspectives for a Common Law of Europe ».

It is the Institute's good fortune that the important contributions made to this colloquium, held at the Badia in May 1977, constitute the opening volume of its Publications Series. In this series, the Institute intends to publish the research

findings of its scholars and the proceedings of conferences and colloquia organized at the Badia. The present publication, like its successors, obviously does not represent opinions or positions of the Institute as such, but those of its various authors.

It is, however, our fervent hope that by the choice of subjects studied and discussed at the Badia, as well as by the way these subjects are treated, our publications will constitute an important means for the execution of the Institute's task, namely, through widening and deepening the understanding of our diverse histories and cultural traditions as well as of the common problems now facing us, to contribute to the unity of our nations, a conditio sine qua non both for the maintenance of their diversity and for constructive participation in finding solutions to the problems of our world in turmoil.

It is with this hope that we submit this first volume of our publications series to its readers.