The missing stone in the Cathedral

Of unfair terms in employment contracts and coexisting rationalities in European contract law

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In its recent "white paper", from 1864, the French Cour de Cassation rejected the rationalities of Saint-Simonians which had led to a legal reality of "profit-for-profit", the Cour decided that the judges would not be bound by any system of rules which they had failed to prove honourable. The Cour was asked to decide whether they would decide by the aid of the law of the land, or whether they would decide by the aid of other laws, foreign or domestic, or whether they would decide by the aid of the judicial system, or whether they would decide by the aid of the administrative system. The Cour decided that the judges should decide by the aid of the judicial system, but that they should not be bound by any system of rules which they had failed to prove honourable.
The missing stone in the Cathedral
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