



## Interpretation of Law in the Global World: From Particularism to a Universal Approach

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# Interpretation of Law in the Global World: From Particularism to a Universal Approach

## **Interpretation of Law in the Global World: From Particularism to a Universal Approach**

Capturing the Change: Universalising Tendencies in Legal Interpretation Joanna Jemielniak and Przemysław Mikasiewicz International and supranational integration on the European continent, as well as the harmonisation of the rules of international trade and the accompanying development and global popularity of the resolution of commercial disputes through arbitration, constantly exerts a considerable influence on modern legal systems. The sources of each of these phenomena are different, and their action is dissimilar. Each can be described as reaching either from the top to the bottom, through the direct involvement of interested States and consequently affecting their internal legal systems (international and supranational integration; harmonisation of trade regulations through public international law instruments), or bottom-up, as a result of activity by private parties, leading to the achievement of uniform practices and standards (arbitration, *lex mercatoria*). Nonetheless, they both enrich national legal cultures and contribute to transgressing the limits of national (local) particularisms in creating, interpreting and applying the law. The aim of this book is to demonstrate how these processes have influenced the interpretation of law, how they have shaped the methods and techniques of the interpretation and with what consequences for the outcomes of the interpretative procedures. In assessing the extent of this influence, due regard must be paid to the fact that the interpretation of law is not, in principle, directly determined by the provisions of law itself.

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