

# The Anatomy Of Corporate Law A Comparative And Functional Approach

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This book provides a theoretical framework for the understanding of corporate (or company) law from both a functional and a comparative perspective and illustrates how corporate laws in core jurisdictions (namely, Brazil, the U.S., the UK, France, Germany, Italy, and Japan) conform to that framework. Corporations in all jurisdictions share the same key legal attributes: namely, legal personality, limited liability, delegated management, transferable shares, and investor ownership.Â Gerard Hertig, author Professor of Law, ETH Zurich. Klaus Hopt, author Past Director, Max Planck Institute for Comparative and International Private Law, Hamburg. Hideki Kanda, author Professor of Law, Gakushuin University Law School.

2. When referring to The Anatomy of Corporate Law as a whole comprising all its editions, we use the term "the Anatomy project" or simply "Anatomy". When referring to a specific edition, we add the edition number in Roman numerals. 3. Namely Kraakman, Davies, Hansmann, Hertig, Hopt, Kanda, and Rock. 4. Anatomy III, vii. 5. In full, Kraakman, Reinier et al, The Anatomy of Corporate Law: A Comparative and Functional Approach (2nd edn, Oxford University Press 2009). 6. Mariana Pargendler (Brazil) and Wolf-Georg Ringe (Germany). 7. Sofie Cools (Belgium) and Gen Goto (Japan). 8. Anatomy III, ix. A COMPARATIVE AND FUNCTIONAL APPROACH (Oxford University Press 2004)) provides the first global and comprehensive comparative and functional analysis of corporate law. The book makes four main claims: (1) Business corporations are characterized by "an underlying commonality of structures that transcends national boundaries:" they display everywhere five key features (legal personality, limited liability, transferable shares, delegated management with a board structure, and investor ownership). (2) The problems that corporate law must universally address stem from the web of agency re This book provides a theoretical framework for the understanding of corporate (or company) law from both a functional and a comparative perspective and illustrates how corporate laws in core jurisdictions (namely, Brazil, the U.S., the UK, France, Germany, Italy, and Japan) conform to that framework. Corporations in all jurisdictions share the same key legal attributes: namely, legal personality, limited liability, delegated management, transferable shares, and investor ownership. Gerard Hertig, author Professor of Law, ETH Zurich. Klaus Hopt, author Past Director, Max Planck Institute for Comparative and International Private Law, Hamburg. Hideki Kanda, author Professor of Law, Gakushuin University Law School.