



## Contract as Promise

By Charles Fried

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**Contract as Promise** By Charles Fried

This book displays the underlying structure of a complex body of law and integrates that structure with moral principles.

Charles Fried grounds the basic legal institution of contract in the morality of promise, under which individuals incur obligations freely by invoking each other's trust. Contract law and the promise principle are contrasted to the socially imposed obligations of compensation, restitution, and sharing, which determine the other basic institutions of private law, and which come into control where the parties have not succeeded in invoking the promise principle--as in the case of mistake or impossibility. Professor Fried illustrates his argument with a wide range of concrete examples; and opposing views of contract law are discussed in detail, particularly in connection with the doctrines of good faith, duress, and unconscionability.

For law students and legal scholars, *Contract as Promise* offers a coherent survey of an important legal concept. For philosophers and social scientists, the book is a unique demonstration of the practical and detailed entailments of moral theory.

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## Contract as Promise By Charles Fried Bibliography

- Sales Rank: #267324 in Books
- Published on: 1982-04-15
- Released on: 1982-05-15
- Original language: English
- Number of items: 1
- Dimensions: 8.50" h x 5.75" w x .50" l, .51 pounds
- Binding: Paperback
- 174 pages

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### Editorial Review

#### Review

[A] readable and provocative book on the philosophical foundations of contract law...Fried's argument makes a powerful case for the view that the law of contracts has a recognizable and distinctive intellectual integrity of its own...Students will find Fried's unifying hypothesis a helpful aid. (*Yale Law Review*)

Fried calls into question some of the most deeply held assumptions of contract law [and] argues powerfully for a moral basis of contract...Fried's book offers a sensitive and subtle investigation, a richly suggestive vision of contract theory. The study and systematic critical discussion of such theory is of the first importance, for it is a question of nothing less than the relationship between law and morals. (*New York Law Journal*)

Charles Fried attempts to restate and defend a liberal theory of contract...In setting out to defend what is, albeit in modified form, the classical theory of contract, Professor Fried is conscious that he is confronting a considerable weight of modern contract scholarship...This Fried confronts or fineses with elegance, grace, and skill. (*Harvard Law Review*)

Charles Fried has written a very sensible, readable, and important book. To have someone argue for the importance of moral reasoning in contracts, or for that matter any common law subject, is refreshing. To have it done well is a real treat. (Richard Epstein)

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--Richard Epstein

#### About the Author

Charles Fried is Beneficial Professor of Law, Harvard University.

### Users Review

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##### **Anthony Edwards:**

Reading can called imagination hangout, why? Because when you find yourself reading a book especially book entitled Contract as Promise your head will drift away trough every dimension, wandering in each aspect that maybe unfamiliar for but surely can become your mind friends. Imaging each and every word written in a reserve then become one form conclusion and explanation in which maybe you never get previous to. The Contract as Promise giving you another experience more than blown away your mind but also giving you useful information for your better life on this era. So now let us teach you the relaxing pattern here is your body and mind will be pleased when you are finished reading through it, like winning a casino game. Do you want to try this extraordinary investing spare time activity?

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