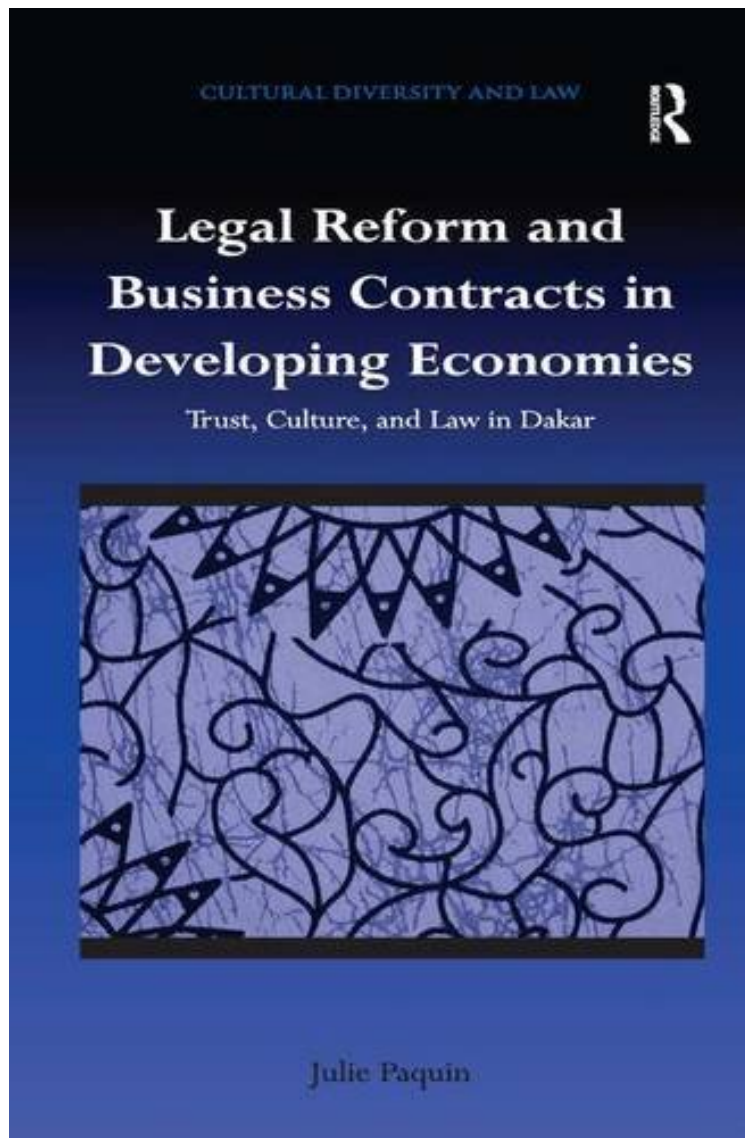


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Legal Reform and Business Contracts in Developing Economies: Trust, Culture, and Law in Dakar (Cultural Diversity and Law)

Julie Paquin

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Dakar (Cultural Diversity and Law):

This book examines the prospects for business law reform to drive economic development in developing countries. It argues that, despite statements to the contrary, cultural factors and other local conditions in developing countries are not properly taken into account in current business law reform programs. Utilizing the city of Dakar as an example, this book investigates the consequences of this lack of fit between local needs and transplanted legal models by examining the potential and actual impact of the OHADA program of law reform on local business practices. Focusing on how managers make decisions and apply appropriate norms in routine business operations, the book documents how contractual disputes arise and are solved in Dakar and the role played by formal law in these processes. By examining imported law from the point of view of the end-users of legal reforms, the book reveals the complex relationship between formal law, local cultural norms and the activities of SMEs operating in developing economies, and calls for a reconsideration of current law and development theory as well as the role of contract law in business decisions. It will be relevant to all developing countries seeking to align their laws with best practice as identified by aid institutions.

'Paquin takes outside of the doors of the academy theories about the role of law in economic development and exposes them to the sunlight of Dakar in Senegal. Looked at from the bottom up, she suggests needed revisions. Indeed, this significant work provides important suggestions about law and economic transactions that are relevant to both developing and developed nations.'

Stewart Macaulay, University of Wisconsin-Madison, USA 'This book uses conversations with African entrepreneurs to paint a detailed picture of the market relationships between small firms in Dakar. The author draws from a broad literature in economics, history, and sociology, to interpret her findings and generate important insights into the workings of markets in developing countries.'

Marcel Fafchamps, Oxford University, UK 'This book advances our understanding of the role of law in the rule of law affecting commercial transactions. Julie Paquin's work on the complex relationships and influences underlying contractual performance bridges the gap between theory and practice. Although situated in the day-to-day reality of Dakar, her research illuminates the broader fabric of constraints to successful reform efforts, with findings that will help to shape future research and programming.'

Wade Channell, Senior Legal Reform Advisor, USAID

About the Author Julie Paquin is Assistant Professor of Law at University of Ottawa, Canada, where she teaches in the areas of private and business law. Her current research interests are in the areas of contract law, international development and socio-legal studies.