

Russian Legal Discourse

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ABSTRACT

Due to the nonrecognition of the origin of the business law in the commercial law, or, the law merchant, grown out of the customs and usages of merchants that existed before the emergence of law itself, and which, even in the process of formalizing the law into the legislation, characteristic for the continental law, in respect of commercial activities that introduced its public regulation, has reserved its self-regulatory and dispositive nature, the Russian legal discourse is quite different to what is generally represented as the Western legal discourse. Although Russian business law has been developed under the influence of Western law, the idea of the legislatively established legal surveillance of business activities, where written law is regarded as a progressive means of regulation, plays still an important role, and the breach of the law requirements is a sine qua non condition for civil liability (for damages) in Russia.

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