

FABRIZIO MARRELLA / NICOLA SOLDATI (Eds.). *Arbitration, Contracts and International Trade Law / Arbitrato, contratti e diritto del commercio internazionale. Essays in honor of Giorgio Bernini/ Studi in onore di Giorgio Bernini*. Milan, Giuffrè-Francis Lefebvre, 2021, 683 pp.

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“E’ italiano ma è bravo”: eloquent are the words of the title of Giorgio Bernini’s last book, published in the year of his ninetieth birthday. Fabrizio Marrella recalls it in the first page of the *prefazione* co-signed with Nicola Soldati. In remembering Giorgio Bernini, they bring readers directly into the atmosphere of his life and into the spirit of his team of researcher and professionals: dynamic, to the point and indefatigably committed. Not just the first Italian to make an international reputation in his field, Giorgio Bernini became honorary president of ICCA, Italian Minister of Foreign Trade, Member of the Italian Antitrust Authority, Member of the ICC Institute of World Business Law to the International Council for Commercial Arbitration. Beyond the impressive list of his honorary and professional charges, he was an astounding lawyer, an arbitrator and a Professor. He held the chair of European Union Law, Arbitration and International Commercial Law at the University of Bologna for almost 30 years. His 385 contributions ranging from civil law, to commercial law, private international law, arbitration, uniform law, antitrust and administrative law have allowed his friends, amongst the most highly qualified publicists of the contemporary world, to choose the topics of their essays.

The book opens with tributes from Yves Derain, Lise Bosman, Maria Beatrice Deli and Antonio Fraticelli. Thirty articles are collected in this volume and make the book an affectionate salute from past students and colleagues.

The first part is on “contracts and international trade law”. Guido Alpa offers an interesting essay of party autonomy from a civil lawyer perspective and with reference to purely internal contracts. Without taking for granted its admissibility, he indulges on the constitutional and theoretical premises. In the same vein, Alfonso-Luis Calvo Caravaca explores the same premises with reference to international contracts, recalling the most classical lessons given by European courts and scholars, and inviting the reader to go past the borders of pure legal theory to welcome the lessons from anthropology and sociology. Javier Carrascos Gonzales moves towards guiding the practitioners confronted to multiple or partial choice of law. Roberto Ceccon undertakes the task of moving from autonomy to *Vis major cui resisti non potest* and Abdel Hamid El Ahdab, attempts an interesting comparative analysis between the Islamic sharia and Roman law. Investment law is unsurprisingly well represented with Gabriele Crespi Reghizzi, attentive to the developments in Russia, Ernst-Ulrich Petersmann measuring the distance between arbitration and judicial overreach. The importance of harmonised international regulations to provide not only legal certainty but enhanced financial security is shown by the works of Roy Goode on the 2001 Cape Town Convention on International Interests in Mobile Equipment and its Aircraft Protocol; Fausto Pocar who discusses the achievements and the still unresolved challenges of the new unified patent tribunal and H. Ercüment Erdem on the

Incoterms 2020. The section also includes essays from Kaj Hober, Marcel Fontaine, Maria Alessandra Stefanelli.

The second part, under the title “arbitration: domestic law and international conventions” also includes one of the last essays (if not the very last) written by the Emmanuel Gaillard who unfortunately died, as Giorgio Bernini himself, before the *Liber Amicorum* could be published. Gaillard’s essay is dedicated to *Kompetenz-Kompetenz*, in its negative aspect, and shows its crucial importance in promoting arbitration. Nicolas Angelet, Stefano Azzali, Ronald A. Brand, Sergio M. Carbone, Dominique Carreau, Claudio Consolo, Giorgio De Nova, Donald Francis Donovan, Romain Zamour, Ugo Draetta, José Carlos Fernandez Rozas, Maria Chiara Malaguti, Eleonora Finazzi Agrò, Margaret

L. Moses, William W. Park, Hassan Rahdi, Christoph Schreuer, Shengchang Wang and the editors Fabrizio Marrella and Nicola Soldati author the essays forming the second part of the book on arbitration.

The book closes with a tribute to Italy, a few pages given by Giorgio Bernini to Fabrizio Marrella in 2018, which were, until now, unpublished (*Speranza: l’Italia che amo*) and a long *Tabula Gratulatoria*.

Beyond the importance of the essays it contains and the originality of the format chosen, the book shows that the legacy of Giorgio Bernini is in good hands: colleagues and friends continue his scientific and pedagogical mission with his same fervent commitment, or to put it his words “enthusiasm ... energy and will, ... and desire of knowledge” (at p. 679, *ma* in italiano!).