I. Introduction

The purpose of this research guide is to provide a basic overview of research resources available in the area of foreign law. Foreign law is the domestic law\(^1\) of any country other than the United States. This guide will offer research strategies for finding foreign law materials and provide a selective listing of foreign law resources available either in the Gordon D. Schaber Law Library or through various electronic resources.

II. Secondary Authority

Regardless of the jurisdiction involved, you should normally begin your research with secondary sources.\(^2\) Some examples of secondary sources are treatises, journal articles and research guides. These type of sources not only explain the law of the jurisdiction being researched, but can also be very useful for identifying specific primary authority documents. Some secondary sources also explain the structure of the foreign legal system being researched. This is important because the nature of a country’s legal system will impact the relative importance of different legal documents. For example, unlike in the United States, court decisions are usually only secondary authority in countries that follow the civil law tradition.

A. Research Guides

One of the best ways of beginning your research into the law of a foreign country is through the use of research guides. These guides describe many of the covered country’s primary and secondary authority publications and may also include a basic overview of its legal system and some of its major pieces of legislation. Most guides will also provide suggestions regarding possible research strategies.

There are numerous foreign law research guides available in both electronic and print format. Research guides covering most countries are freely available through the Internet. They can be readily retrieved with the following queries: “[country name] law research” or “foreign law research.” The first query will retrieve guides that focus on country specific

\(^{1}\) It is also sometimes referred to as national, internal or municipal law.

\(^{2}\) This guide frequently refers to primary and secondary authority. Primary authority is the actual forms of the law itself, such as constitutions, statutes, regulations, and in some jurisdictions, court cases. Secondary sources are materials that describe and explain the law, but are not the law itself.
resources. The latter search will retrieve guides emphasizing multi-jurisdiction sources that tend not to be covered in guides that focus on individual countries.

Print research guides covering individual countries can be located by conducting the following keyword search in the library catalog: “legal research [jurisdiction name].” For example, to locate research guides on Australia, your search would be structured as follows: legal research Australia. These guides typically go into greater depth than Internet-based guides, but may be less current.

**Foreign Law Guide.**

Subscription database: http://libguides.mcgeorge.edu/databaselists

This excellent subscription database covers nearly 200 jurisdictions worldwide. The section on each country includes an introduction to its legal system, a listing of its major primary authority publications, selected secondary sources, and references to Internet sites covering the country’s law. Each section also includes citations to specific laws of that country pertaining to over 100 subjects.


While portions of this source focus on researching international law, there is extensive coverage of foreign law resources. An electronic version is available on Lexis.

**GlobaLex**, New York University School of Law.

Site: http://www.nyulawglobal.org/globalex/

This highly useful site contains research guides covering over 100 countries as well as other guides in the areas of foreign, comparative and international law.


A legal research textbook the covers both foreign and international law research. An electronic version is available on Ebrary (a library subscription database) and through the book’s record in the library’s online catalog.

**B. Treatises & Practice Materials**

The library offers access to a variety of non-periodical secondary sources, such as treatises, practice materials, and other books. These resources may be available in our print collection or accessible through an electronic resource such as Westlaw or Lexis. The following are some suggestions for locating these materials.

1. **Use a Research Guide**

You may be able to identify helpful secondary sources using a research guide. Then search the library’s online catalog or subscription databases to determine if these sources are available through the library.
2. Use the Library’s Online Catalog

You should search Go-Cat, the library’s online catalog, early in the research process to identify potentially useful secondary resources. In addition to covering the library’s print holdings, the catalog also lists treatises and practice materials (but not periodicals) available through our library’s subscription to Lexis and Westlaw, plus many electronic titles available through other library databases or free Internet sites.

The best approach to searching the catalog is to start by running a keyword search. Once you have identified relevant publications through this approach, then search the subject headings assigned to each of these documents. This will lead you to related materials that may not have been retrieved through your original keyword search.

When formulating your catalog search, it is important to remember that materials covering the laws of a particular country may be found in sources that focus on that specific jurisdiction, the general geographic region in which your country is located, or in sources covering nations throughout the world. For example, materials on Chinese arbitration law can be found in Arbitration in China: A Practical Guide, Dispute Resolution in Asia, or The World Arbitration Reporter. Because the catalog records for many regional and worldwide publications do not include the names of the individual countries covered, you should run some keyword searches in the catalog that omit the country name and which include broader geographic terms such as “Latin America,” “Africa,” “international,” “world,” or “global.”

If you do find a relevant country specific publication, try searching under its subject headings without the country designation. For example, if a subject heading is “Securities – Japan,” do a subject search using just the term “Securities.” This will retrieve the records of many multi-country publications in the area of securities law, some of which might cover Japan. If the words “international,” “comparative,” “world,” or “global” appear in the title, it probably covers multiple countries (to know for sure, you will need to directly check the publication).

The library also has introductory works that often have chapters covering a wide range of basic topics, such as contracts, torts, family law, criminal law, administrative law, etc. Examples of such titles include Introduction to Turkish Law, The Law and Legal System of Ukraine and An Introduction to the Legal System of the People's Republic of China. The catalog records for these types of works may not indicate the specific subjects covered so they might have to be directly examined to determine their contents. Such publications can usually be located in the catalog through a keyword search using the jurisdiction name and either the terms “introduction” or “legal system.”

3. Westlaw and Lexis

Lexis and Westlaw have only a very limited number of treatises and practice guides on foreign law. As was mentioned in § II.B.2 of this guide, such materials can be identified through the library catalog. They can also be located on traditional Lexis by following
4. Noteworthy Treatises & Practice Materials

Doing Business in....

There are many publications whose title begins with “Doing Business in” followed by a jurisdiction or geographical name. Examples include Doing Business in Brazil and Doing Business in Asia. Such publications usually provide broad coverage of business related legal issues from a practice oriented perspective. There are two particularly noted series under this title: a Matthew Bender series available on Lexis and a Juris Publishing series available in print.

International Encyclopaedia of Laws.

Subscription database: http://libguides.mcgeorge.edu/databaselist

An excellent series that covers many topics for numerous countries, including civil procedure, contracts, torts, criminal law, etc. Our electronic subscription includes all components of the series except for Insurance, Labor, Social Security, and Transport. Some titles are also available in print, and can be located by searching the online catalog.


This well-respected print series covers the legal systems and laws of various jurisdictions. Unlike many foreign law titles, this publication directly compares how different jurisdictions address specific legal issues.

Martindale Hubbell International Law Digest.

This work provides a basic summary of a wide range of legal topics for various countries. The current edition is available on traditional Lexis (Legal > Find Laws by Country or Region > Search International Law Digests). Older editions are provided for free at www.martindale.com.


Provides an overview of the legal systems of numerous countries. This publication is also available through HeinOnline in the “World Constitutions Illustrated” library.

C. Periodical Literature

Articles published in law reviews and other journals can be useful sources for finding background information and analysis on the topic that you are researching. They can also be very helpful in locating citations to relevant primary authority. The two main methods of finding legal articles are through full-text resources and indexes. Each approach has its
advantages and disadvantages. Full-text databases have the advantage of allowing more detailed searches than indexes, since indexes will often only be searching the author and title of the article, the assigned subject headings, and perhaps an abstract. Indexes often cover a greater number of journals than full-text databases and the coverage tends to go back further in time. You should use both types of resources if you wish to be thorough.

1. Full-Text Resources

Both Westlaw and Lexis have full-text law review databases covering numerous legal periodicals. Coverage for most journals begins in the early to mid-1990s. Note that many non-U.S. journals have not been migrated to WestlawNext or Lexis Advance. These journals can be found on Westlaw Classic within those folders covering other countries or regions (these are listed under the International/Worldwide Materials link in the directory). They can be found on traditional Lexis by following this trail: Legal > Find Laws by Country or Region.

HeinOnline provides access to an extensive collection of U.S. and non-U.S. law journals. The coverage for most journals starts at inception. The database also includes numerous yearbooks that include law articles. Law journals are located in the “Law Journal Library” and yearbooks in the “Foreign & International Law Resources Database.” HeinOnline can be accessed through the library Databases page at http://libguides.mcgeorge.edu/databaselists and through the library online catalog.

Some law journals can be found in interdisciplinary or subject-specific library subscription databases. These databases can be accessed through the library’s Databases page at http://libguides.mcgeorge.edu/databaselists.

If you have identified a specific journal that you wish to access electronically, try searching the library’s online catalog using the name of the journal. In many instances the journal’s catalog record will include a link to an electronic version of the publication.

Law journal articles are increasingly available on the Internet for free. One of the best resources for locating these articles is by searching Google Scholar. Often you can more easily access the text of these articles if you search while on campus, since Google Scholar searches a number of library subscription databases that provide access based on IP address.

2. Indexes

The following are the most useful legal indexes available through our library. Because the coverage of indexes varies, you may benefit from searching more than one.

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3 http://scholar.google.com/
4 HeinOnline’s “Law Journal Library” and JSTOR are two examples.
Index to Canadian Legal Literature (1985-).
Covers over 200 Canadian legal and law-related periodicals, as well as a variety of books and other publications. A current version is available through Westlaw Classic under the following path: Directory > Directories, Reference > Periodicals Indexes.

Index to Foreign Legal Periodicals (1960-).
Indexes over 500 periodicals, most of which are published in non-common law countries. It also includes selected international and comparative law journals from the United States, United Kingdom and the Commonwealth. An electronic version is available through HeinOnline and can be accessed through the library’s Databases page at http://libguides.mcgeorge.edu/databaselist.

Legal Journals Index (1986-).
Indexes articles from over 430 legal journals published in the Europe. This index is particularly useful for United Kingdom and European Union research. Available through Westlaw Classic – use the following path to locate the database: Directory > International/Worldwide Materials > European Union.

Legal Resource Index (1980-).
This index covers over 900 periodicals published in the United States, Australia, Canada, New Zealand, Ireland and the United Kingdom. This index is available on Westlaw Classic – use the following path to locate: Directory > Directories, Reference > Periodicals Indexes > Legal Resource Index (Electronic Companion to Current Law Index). A different online version of the same index is accessible through the library’s Databases page at http://libguides.mcgeorge.edu/databaselist under the name LegalTrac.

III. Primary Authority

Other countries do not necessarily have the same sources of law as the United States. For example, countries following the civil law tradition generally do not recognize court decisions as primary authority. Because the relative weight of legal documents can vary between jurisdictions, it is important to use secondary sources to obtain a basic understanding of a country’s legal system.

The best way to identify foreign primary authority is through secondary sources. These publications serve as good finding tools since they will usually list specific legal documents that support their commentary. Research guides should also be consulted to identify primary authority sources for the jurisdiction being researched (see § II.A). You can then directly search these primary materials to update and verify the information found in the secondary sources. Consulting research guides is important because the types of primary authority publications used in other countries can vary significantly from those of the United States. For example, many countries, especially those following the civil law tradition, have an official gazette in which many primary authority documents are published.5 Such gazettes

5 Examples of official gazettes include Journal Officiel de la République Française (France), Bundesgesetzblatt (Germany) and Diario Oficial de la Federación (Mexico).
are usually published on a daily basis and will include all newly enacted legislation and regulations. They will also frequently include treaties and sometimes summaries of judicial decisions.

Use the library’s online catalog to determine which foreign primary authority resources are available in print in the library’s collection. In addition to country specific sources, there may be multi-jurisdictional compilations covering a particular topic or region. Examples of such titles include *Constitutions of the Countries of the World, Central and Eastern European Legal Materials* and *Investment Laws of the World.*

**A. Constitutions**

The following resources are particularly useful for finding the text of foreign constitutions. In addition to these sources, check research guides covering your country (see § II.A) and Internet sites (see § V).


This publication provides the text of numerous current and historical national constitutions in English. An electronic version is available through the library’s Databases page at http://mcgeorge.edu/x1635.xml.

HeinOnline.

The “World Constitutions Illustrated” database includes the national constitutions for most countries in English. The country entries in this resource also provide links to articles and books that discuss the country’s constitution.


Contains English language versions of the constitutions of subnational government entities and legislation governing the legal relationships between these entities and their respective national governments.

**B. Legislation and Regulations**

There are a variety of approaches that can be used to locate codes, statutes and regulations from other countries. The most efficient approach is to check for research guides covering your country, as they will list helpful electronic and print resources. The *Foreign Law Guide* (see § II.A) is particularly useful, because the entry for each country lists major laws organized by subject and includes information on where they can be located. Also, keep in mind that the text of legislation can sometimes be found in secondary sources. For example, treatises or periodicals covering a specific country or region will sometimes include the full-text of legislation or regulations discussed in the narrative.

The coverage of foreign legislation and regulations on Lexis and Westlaw is relatively limited. There is extensive coverage for the United Kingdom, Canada and the European...
Union on both services. The primary authority coverage for other jurisdictions is incomplete or non-existent, may only be in the vernacular, and for some databases may not be current. Much of the foreign primary authority content has not been migrated to WestlawNext or Lexis Advance. Legislation and regulations on Westlaw Classic are located in the “International/Worldwide Materials” section of the Directory, while on traditional Lexis can be found by selecting the “Legal” tab and searching under “Find Laws by Country or Region.”

As was previously mentioned, many countries have official gazettes. These can be one of the best sources for both legislation and regulations, as laws, regulations and treaties will be published in the gazette before taking effect. Our library does not collect gazettes in print, and the gazettes for only a few jurisdictions are available on Westlaw and Lexis. The best source for these publications is through the Internet. Research guides and search engines can be used to locate the appropriate websites. Another helpful resource is Government Gazettes Online (http://www.lib.umich.edu/govdocs/gazettes/), a University of Michigan website that provides links to gazettes on the Internet. One factor to keep in mind is that the gazettes will be in the vernacular for the country being researched.

There are many other free and subscription based electronic resources that provide access to primary authority. These sources are discussed in § IV and § V of this guide.

C. Court Decisions

Court decisions are not as readily available as legislation. Some countries do not publish cases in any official publications or will only do so for decisions issued from the jurisdiction’s highest court. Generally, court decisions from common law legal systems are easier to obtain than those from civil law jurisdictions. Also, keep in mind that most cases are only available in the vernacular and are not translated into English.

One of the most efficient methods for locating court decisions is through the use of research guides and other secondary sources (see § II). In some countries the best source for obtaining cases is through journals that reproduce decisions either in full-text or as excerpts.6 Use research guides to help identify these publications. Other secondary sources, such as treatises, can be useful for identifying important cases.

The library subscribes to a number of databases that have court decisions. Westlaw Classic and traditional Lexis include a limited number of foreign cases. Both services have extensive coverage of cases from Australia, Canada, the European Union, and the United Kingdom. Coverage of other countries is very selective and may not be current. Decisions on Westlaw Classic are located in the “International/Worldwide Materials” section of the Directory, while most decisions on traditional Lexis can be found by selecting the “Legal” tab and searching under “Find Laws by Country or Region.” In addition to U.S. court decisions, KeyCite on Westlaw Classic covers Canadian and Australian cases. Foreign cases have not yet been migrated to WestlawNext or Lexis Advance. Other databases that

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6 Examples include La Semaine Juridique (France) and Neue Juristische Wochenschrift (Germany).
include foreign court decisions are HeinOnline, Westlaw China and Kluwer Arbitration (see § IV).

Foreign cases can also be found on a variety of free Internet websites. Most courts maintain their own websites which often provide the text of decisions. Other government, academic and commercial sites may include cases. Research guides are useful for identifying sites that focus on particular countries (see § II.A).

Another method of locating cases is though print annotated codes and statutory compilations. These will list cases that relate to specific legislative provisions. However, our library’s collection only includes such publications for a few countries, most notably France, Germany, Italy, Mexico and the United Kingdom. The annotated French, German and Italian codes are in the vernacular.

There are also case reporters and casebooks in the library’s collection that provide access to foreign decisions. These can be found by running a keyword search in the library’s catalog using the term “cases” along with the name of the country, geographic region, or subject area of interest. Many of these publications include an index for locating cases by topic.

IV. Subscription Databases

The library subscribes to a number of databases other than Westlaw and Lexis that contain foreign law materials. Each of these databases can be accessed either through the library’s Databases web page at http://mcgeorge.edu/x1635.xml or by running a title search in the library’s catalog using the database name. The following titles are the most useful.

Checkpoint.
Commercial and tax laws from several dozen countries translated into English.

Constitutions of the Countries of the World.
Current and historical national constitutions translated into English.

HeinOnline.
Foreign law coverage includes British and Canadian statutes and cases, international and non-U.S. law journals and yearbooks, Israel Law Reports (selected Israeli Supreme Court cases), and International Labour Law Reports (decisions of various national courts dealing with labor and employment issues, available in the “Foreign & International Law Resources Database”).

Kluwer Arbitration.
English translations of national arbitration legislation and cases from many countries.

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7 Some examples of annotated legislation are Méga Code Civil (French Civil Code), Bürgerliches Gesetzbuch (German Civil Code), and Mexican Commercial Code Annotated.
vLex Global.
Case law, legislation, and other legal materials from nearly 100 countries, with a particular focus on Latin America and Europe.

Westlaw China.
Provides statutes, regulations, cases, and some secondary sources from the People’s Republic of China. Some of the content is translated into English.

V. Free Internet Sites

Many primary and some secondary resources are available through free Internet sites. These documents may be posted by many different types of sites including those of national governments, intergovernmental organizations, nongovernmental organizations, law firms and educational institutions. These resources can be extremely valuable aids to foreign law research. However, before relying on these documents you should always consider the reliability of the source.

The two main methods of locating relevant Internet sites are through research guides (see § II.A) and search engine queries. A selective list of foreign law websites is also available through the Foreign and Comparative Law tab on the library’s International Research Resources page.8

The following are useful websites.

Europa.
Site: http://europa.eu/
Official portal site for the European Union, providing access to primary authority, EU policy and current awareness materials, and other documents.

Guide to Foreign and International Legal Databases.
Site: http://www.law.nyu.edu/library/research/foreign_intl/index.htm
Includes foreign law websites organized by both subject and jurisdiction.

Site: http://www.loc.gov/law/help/guide/nations.php
Library of Congress site that lists legal, political, and country background information by jurisdiction.

World Legal Information Institute.
Site: http://www.worldlii.org/
Includes databases covering the laws of more than 100 countries.

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8 Available at http://libguides.mcgeorge.edu/content.php?pid=190024&sid=1594035.
VI. Legal Abbreviations

In the course of your research you may come across citations containing abbreviations with which you are unfamiliar, thus making it difficult to locate the source in question. The following are some examples of sources that allow you to look up abbreviations and determine the full title of the source.

*Cardiff Index to Legal Abbreviations.*
Site: [http://www.legalabbrevs.cardiff.ac.uk/](http://www.legalabbrevs.cardiff.ac.uk/)

Table two (“T.2”) consists of a list of countries and their major legal publications, including the proper abbreviation for each source.


Also available on Lexis (Legal > Reference > Law).

VII. Legal Dictionaries

The library has a number of legal dictionaries that are bilingual or polyglot and which include English as one of the languages. We also have a few dictionaries that focus on the legal terminology of specific countries. Some examples are *Dahl's Law Dictionary: French to English/English to French*, *Mexican Legal Dictionary and Desk Reference*, and *West's Spanish-English/English-Spanish Law Dictionary*. Such dictionaries can be particularly useful for translating legal terminology, although one must keep mind that the legal meaning of a particular word can vary between different legal systems. To locate these dictionaries, do a keyword search using the terms “dictionaries,” “law” and the name of the language or country of interest.