

Manfred Weiss is one of the most prominent figures in the fields of labour law and industrial relations. During his career, he held visiting professorships at prestigious universities and participated in different missions as a consultant for the International Labour Organisation and the European Commission. He has been a member of the scientific committee of many leading labour law and industrial relations journals, writing extensively on these topics. In 2015, he received the Labour Law Research Network (LLRN) Award for his outstanding contribution to labour law.

Materiali di diritto del mercato del lavoro e relazioni industriali ordinati da Maurizio Del Conte e Michele Tiraboschi

Collana della Fondazione ADAPT

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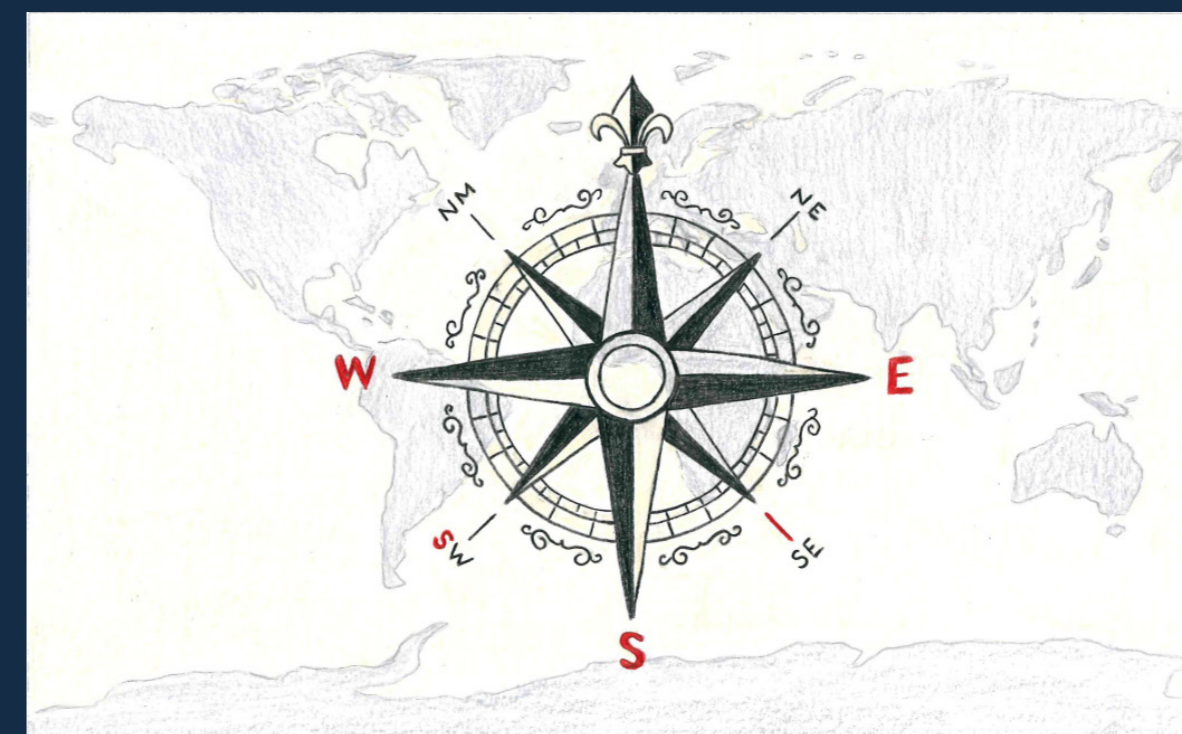


Manfred Weiss A Legal Scholar without Borders

Manfred Weiss

A Legal Scholar without Borders

Selected Writings and Some Reflections on the Future of Labour Law



This volume collects some of the most significant works by Manfred Weiss. They are preceded by an interview made by Michele Tiraboschi to Prof. Weiss about the origins of the German and European culture of work. It is argued that, in considering the uncertain scenario resulting from globalisation and the economic crisis, it is necessary to review labour protection, without moving away from the fundamental principles of labour law.

Manfred Weiss has been a pioneer of comparative labour law and a role model for labour law scholars who met him in the early stages of their academic career. With his work, he paved the way for a new approach to legal research, standing up for the weakest and those who struggle to have their voices heard. Manfred Weiss has showed us that we can engage in research and share the results of our work, promoting academia not only in terms of individual careers but as an area contributing to the future of work and benefitting institutions and people. In order to conduct academic research in a way that genuinely serves the community, we need inspirational figures. Manfred Weiss stands out as a role model for all of us, and for this he is deserving of our admiration and gratitude.

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This book cover was hand-drawn by Lavinia Serrani and depicts an old geographical map with a compass placed at its centre. The aim is to represent in simple terms the extraordinary effort made by early labour law scholars who ventured into legal comparison, a fascinating approach that was largely unknown at the time. This research methodology is widely implemented today, although it has often turned into mere descriptivism, partly because there is little awareness about its scope.

Manfred Weiss embodies the pioneers of legal studies, serving as a role model for the new generation of labour law scholars. He represents a source of inspiration for those who want to engage in legal comparison, guiding them through work-related changes and new developments in labour law. Manfred Weiss' mastery of comparative analysis and authoritative call to respect human values should be the lodestars of legal studies, especially when dealing with sensitive and constantly evolving labour-related issues.

**Materiali di diritto del mercato del lavoro e relazioni industriali
ordinati da MAURIZIO DEL CONTE e MICHELE TIRABOSCHI**

**Collana della FONDAZIONE ADAPT – Scuola di alta formazione in
*Transizioni occupazionali e relazioni di lavoro***

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Foreword

by Michele Tiraboschi

This volume collects some of the most significant works by Manfred Weiss. The idea behind this book is that an international community as diverse as that of labour law scholars needs to nurture the memory of the past in order to envision the future.

Manfred Weiss has been a pioneer of comparative labour law and a role model for labour law scholars like me, who met him in the early stages of their academic careers. He has always been a thoughtful person, offering advice and encouragement. With his work, Manfred Weiss paved the way for a new approach to legal research, standing up for the weakest and those who struggle to have their voices heard.

As we tried to represent in the book cover illustration, Manfred Weiss has showed us that we can engage in research and share the results of our work, promoting academia not only in terms of individual careers but as an area contributing to the future of work and benefitting institutions and people.

The papers collected in this book are preceded by an interview with Manfred Weiss about the origins of the German and European cultures of work. It is argued that, in considering the uncertain scenario resulting from globalisation and the economic crisis, it is necessary to review labour protection, without moving away from the fundamental principles of labour law.

Delving into the life and legacy of Manfred Weiss revived the *raison d'être* of labour law and the sense of belonging in the labour law community. He taught us to work with loyalty and a collaborative spirit to help others, championing a cause that is more important than our ambitions and individual careers.

This volume is not a mere tribute to Manfred Weiss – which is not up to me and the ADAPT research group I proudly coordinate. Rather, this book

should help reassert the function of labour law as a tool promoting values and safeguarding people, therefore establishing a forward-looking approach that goes beyond the satisfaction derived from publishing papers or participating in academic events.

To conduct academic research in a way that genuinely serves the community, we need inspirational figures. Manfred Weiss stands out as a role model for all of us, and for this, he is deserving of our admiration and gratitude.

* * * * *

In presenting the readers with this book, I feel the urge to thank those who contributed to its making. I am grateful to Pietro Manzella, for accurately proofreading the text, and to Silvia Spattini who, in her capacity as ADAPT's General Director, enabled this publishing venture. I am also indebted to Laura Magni for her invaluable editorial work and to all the ADAPT researchers and doctoral students who read the drafts of this manuscript and improved it significantly with their useful comments.

About Manfred Weiss

by Pietro Manzella and Silvia Spattini

Born in 1940 in Möhringen (a town which is now part of Tuttlingen) in the Baden-Württemberg region, Manfred Weiss has come to be one of the most prominent figures in the fields of labour law and industrial relations.

After graduating in law in 1964 from the University of Freiburg, Prof. Weiss moved to Giessen, near Frankfurt, to begin his doctoral studies.

From 1965 to 1966, he spent a research stay at the Center of Law and Society at Berkeley University, where he was awarded a scholarship to study judicial decision-making in the US. This would be the topic of his doctoral thesis, which he defended in 1971, and also of his first monograph.

He worked first as a research assistant (from 1970 to 1972) and then as an associate professor (from 1972 to 1974) at the Faculty of Law of Goethe University in Frankfurt.

After serving three years as a full professor of civil and labour law at the Law School of the University of Hamburg, in 1977 he moved back to Goethe University, where he is still working as a professor emeritus.

During his career, Manfred Weiss held visiting professorships at many prestigious universities worldwide: at the University of Leuven (1984) and Ghent University (2008) in Belgium; at the University of Paris-Nanterre



(1985, 1992, 1994, 2003, 2004, 2005), the University of Strasbourg (1987), Sorbonne University (1993, 1994, 1996), and the University of Bordeaux (1996, 1999, 2004 and 2005) in France; at the University of Pennsylvania (1987, 1988 e 1991), the University of Gainesville (1989); the University of New York (1997 and 2001), and the University of Illinois Urbana-Champaign (2011) in the USA; at Western Cape University (from 2009 to 2018), and the University of Pretoria (2012, 2014, 2015, 2016, 2018) in South Africa; at Ca' Foscari University in Italy (from 2013 to 2019).

Prof. Weiss was also awarded many honorary doctorates, from the University of Budapest in 2005; from the University of Bordeaux in 2011; and from North-West University (South Africa) in 2015.

Manfred Weiss also chaired many national and international associations: from 2000 to 2003, he served as the president of the International Industrial Relations Association (IIRA, now ILERA – the International Labour and Employment Relations Association); from 1989 to 1995, and from 2000 to 2006, he was a member of the executive committee of IIRA; from 1990 to 1995, he was appointed president of the German Association of Industrial Relations (GIRA); from 1998 to 2002 he became deputy president of German Lawyers' Association (DJT).

Starting from 1980, Manfred Weiss participated in different missions as a consultant for the International Labour Organisation (ILO). He worked in Zambia (in 1983 and 1985); Sri Lanka (1984); Sudan (1987); Trinidad & Tobago (1988); Hungary (1991); South Korea (1991); Poland (1991); Bulgaria (1992 and 2006); South Africa (1994); and Romania (2004). Since 1986, he has also been a consultant for the European Commission.

In 2015, Manfred Weiss received the Labour Law Research Network (LLRN) Award for his outstanding contribution to labour law. He has been a member of the scientific committee of many leading labour law and industrial relations journals, writing extensively on these topics.