

NLM

Abstract

The topic of *lex mercatoria* does not represent any new nor revolutionary concept for the legal science, on the contrary it is a concept present in the European legal thinking since the Middle Ages. Despite of that it still remains without a clear and comprehensible theoretical framework thus in a stage of some sort of a legal hypothesis. This rigorous thesis describes in its five chapters the topic of *lex mercatoria* - specifically its up to date form: *New Lex Mercatoria* - not as a concept but as an applicable law and within the extent of this thesis attempts to come up with both the reasons for such perspective as well as with those which oppose it. For this reason it answers the following basic questions: Does a clear concept of the *New Lex Mercatoria* exist? Does such law have the historical continuity? Does such law have any clear distinctiveness when compared to the legal orders of national states? Which norms create such legal order and who and under which conditions does enforce them?