Preface

For the preparatory work on the new Turkish Commercial Code of 2011, the question of how to translate the common law legal term “wilful misconduct” into Turkish should have been clarified. Dr. iur. F. Kerim Atamer, who was the member of the Commission in charge of the preparation of the Draft of the Code, attracted my attention to the problem, thus providing the starting point of this work. Upon having been accepted as a scholar at the International Max Planck Research School for Maritime Affairs (IMPRS), I conducted this study under the supervision of Prof. Dr. Dr. h.c. Jürgen Basedow, LL.M. (Harvard), Director of the Max Planck Institute for Comparative and International Private Law. I am most grateful for his support, encouragement and detailed advice, without which this work would not have been completed. I would also like to thank Prof. Dr. Ulrich Magnus, Director of the Seminar of Foreign and Private International Law of the Faculty of Law at the University of Hamburg and Judge at the Hanseatic Court of Appeal, for the timely submission of the second opinion on my thesis. I am also thankful to Prof. Dr. Dr. h.c. Peter Ehlers, former Director of the Federal Maritime and Hydrographic Agency of Germany, and to Prof. Dr. Rainer Lagoni, Managing Director of the Institute of Maritime Law and the Law of the Sea at the University of Hamburg, for their informative seminars on the law of the sea which helped me foster a wider view and a better understanding of how maritime law and the law of the sea interlink.

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