

The Law Of Property (Clarendon Law Series)

In this revised edition, Michael Bridge provides a comprehensive analysis of the complexities of English personal property law. It includes new material on key case law and statutory developments. An invaluable resource for those coming to the subject for the first time.

This study traces the influence of philosophical ideas on the development of contract law from the post-Roman period to the 19th century, focusing upon the synthesis of Roman law and the moral philosophy of Aristotle and Aquinas.

This book provides an accessible and engaging account of the contemporary laws of war. It highlights how, even though war has been outlawed and should be finished as an institution, states continue to claim that they can wage necessary wars of self-defence, engage in lawful killings in war, and imprison law-of-war detainees.

Robert Chambers has written a much-needed, detailed examination of the resulting trust which will be invaluable to all barristers and academics working in the areas of equity and trusts, restitution and the law of property.

An Introduction to the Law of Trusts

War

Intellectual Property

A Treatise on the Law of Property in Intellectual Productions in Great Britain and the United States

In Eighteenth-Century Fiction and the Law of Property, Wolfram Schmidgen draws on legal and economic writings to analyse the description of houses, landscapes, and commodities in eighteenth-century fiction. His study argues that such descriptions are important to the British imagination of community. By making visible what it means to own something, they illuminate how competing concepts of property define the boundaries of the individual, of social community, and of political systems. In this way, Schmidgen recovers description as a major feature of eighteenth-century prose, and he makes his case across a wide range of authors, including Daniel Defoe, Henry Fielding, William Blackstone, Adam Smith, and Ann Radcliffe. The book's most incisive theoretical contribution lies in its careful insistence on the unity of the human and the material: in Schmidgen's argument, persons and things are inescapably entangled. This approach produces fresh insights into the relationship between law, literature, and economics.

When philosophers put forward claims for or against 'property', it is often unclear whether they are talking about the same thing that lawyers mean by 'property'. Likewise, when lawyers appeal to 'justice' in interpreting or criticizing legal rules we do not know if they have in mind something that philosophers would recognize as 'justice'. Bridging the gulf between juristic writing on property and speculations about it appearing in the tradition of western political philosophy, Professor Harris has built from entirely new foundations an analytical framework for understanding the nature of property and its connection with justice. Property and Justice ranges over natural property rights; property as a prerequisite of freedom; incentives and markets; demands for equality of resources; property as domination; property and basic needs; and the question of whether property should be extended to information and human bodily parts. It maintains that property institutions deal both with the use of things and the allocation of wealth, and that everyone has a 'right' that society should provide such an institution.

This revised and updated edition of the third volume in this 4-volume set examines the rights and duties which attach to parties in relation to property of every kind, including dealings affecting property and rights in security.

Written by the Law Commissioner responsible for land law, this second edition is an invaluable resource for students new to the subject. It provides a clear overview of the subject, details key cases, and offers both a clear explanation of how the law works and insights into how property lawyers think.

Land Law, 2e

Introduction to the Law of Property

Legal Reasoning and Legal Theory

Commentaries on the Laws of England

The Idea of Property in Law

This second edition of Sarah Worthington's *Equity* maintains the clear ambitions of the first. It sets out the basic principles of equity, and illustrates them by reference to commercial and domestic examples of their operation. The book comprehensively and succinctly describes the role of equity in creating and developing rights and obligations, remedies and procedures that differ in important ways from those provided by the common law itself. Worthington delivers a complete reworking of the material traditionally described as equity.

In doing this, she provides a thorough examination of the fundamental principles underpinning equity's most significant incursions into the modern law of property, contract, tort, and unjust enrichment. In addition, she exposes the possibilities, and the need, for coherent substantive integration of common law and equity. Such integration she perceives as crucial to the continuing success of the modern common law legal system. This book provides an accessible and elementary exploration of equity's place in our modern legal system, whilst also tackling the most taxing and controversial questions which our dual system of law and equity raises.

The third edition of *The Principles of the Law of Restitution* has been substantially rewritten to reflect the significant changes in the law of restitution and the expansion in the theoretical and critical commentary on the subject. It focuses on the identification and analysis of the principles which underpin the law of restitution as a whole, but with reference to its three distinct parts: unjust enrichment, restitution for wrongs, and the vindication of property rights.

What type of right is a property right? How are items of property classified for legal purposes? In this revised edition of *Personal Property Law*, Michael Bridge provides answers to these fundamental questions of property law. His critical analysis includes new material on insolvency, in particular the anti-deprivation principle and the *pari passu* rule, as well as comprehensive accounts of recent case law (OBG v Allan, Yearworth, and Datastream,) and statutory developments. Widely considered to be the best short introduction to English personal property law, Bridge constructs an authoritative and systematic summary of this complex field for readers approaching the subject for the first time. It focuses on the acquisition, loss, transfer, and protection of interests in personal property law, and specific topics include: ownership and possession; treatment of the separate contributions of the common law and equity to modern personal property law; discussion of modes of transfer; the means of protecting property interests; the resolution of disputes concerning title to

personal property; the grant of security interests, and the issues arising out of the transformation and mixing of tangible personal property.

This new edition of *Property Law* is completely revised and updated to incorporate all recent legislative changes and provides a clear and critical account of the basic principles of the law of property. It provides both a succinct and thoughtful overview of the subject and also pulls together themes and raises thought-provoking insights and synergies.

A History of the Common Law of Contract

In Four Books : with an Analysis of the Work

Women, Crime, and Character

The Right to Private Property

The Rise of the Action of Assumpsit

Written by one of the leading scholars of private international law, this third edition is an accessible introduction to the challenging area of the conflict of laws. Fully reconfigured to take into account the changes brought about by the European Regulations, Adrian Briggs' volume is an essential overview to the field.

A highly readable introduction to equality law and how it has adjusted to new and complex problems. Including an historical overview and comparative analysis, it thematically illuminates and discusses the major issues in discrimination law. This edition incorporates recent changes to the law, most importantly the Equality Act 2010.

This book draws on law, literature, philosophy and social history to explore fundamental changes in ideas of selfhood, gender and social order in 18th and 19th Century England. Lacey argues that these changes underpinned a radical shift in mechanisms of responsibility-attribution, with decisive implications for the criminalisation of women.

This new edition of *Unjust Enrichment* by the editor of the Clarendon Law Series, is a fully updated, clear and concise account of the law of unjust enrichment. It attempts to move away from the use of obscure terminology inherited from the past. This text is the first book to insist on the switch from restitution to unjust enrichment, from response to event. It organises modern law around five simple questions: Was the defendant enriched? If so, was it at the claimant's expense? If so, was it unjust? The fourth question is then what kind of right the claimant has, and the fifth is whether the defendant has any defences. This second edition was revised and updated by Peter Birks before his death from cancer on 6 July 2004 at the age of 62. It represents the final thinking of the world's leading authority on the subject.

Embracing Copyright in Works of Literature and Art, and Playright in Dramatic and Musical Compositions

Resulting Trusts

From Moll Flanders to Tess of the D'Urbervilles

The Law of Property

Principles of the Law of Restitution

What makes an argument in a law case good or bad? Can legal decisions be justified by purely rational argument or are they ultimately determined by more subjective influences? These questions are central to the study of jurisprudence, and are thoroughly and critically examined in Legal Reasoning and Legal Theory, now with a new and up-to-date foreword. Its clarity of explanation and argument make this classic legal text readily accessible to lawyers, philosophers, and any general reader interested in legal processes, human reasoning, or practical logic.

The Concept of Law is one of the most influential texts in English-language jurisprudence. 50 years after its first publication its relevance has not diminished and in this third edition, Leslie Green adds an introduction that places the book in a contemporary context, highlighting key questions about Hart's arguments and outlining the main debates it has prompted in the field. The complete text of the second edition is replicated here, including Hart's Postscript, with fully updated notes to include modern references and further reading.

"Intellectual Property" provides comprehensive coverage of the whole spectrum of intellectual property law as it applies in the UK. Changes to the law effected by the Copyright, Designs and Patent Act 1988 are covered, as are many other decisions and provisions. Developments in EEC law such as progress towards implementation of community trademarks and patents arrangements are noted.

Provides an historical perspective on the political philosophies of Locke and Hume, identifying continuities in the development of 17th and 18th-century political theory. Argues that Hume's moral sense theory was an attempt to underpin natural law with an adequate moral psychology.

The Conflict of Laws

Grotius to Hume

Unjust Enrichment

The Concept of Law

Equity

The Common Law is one of the two major and successful systems of law developed in Western Europe, and in one form or another is now in force not only in the country of its origin but also in the United States and large parts of the British Commonwealth and former parts of the Empire. Perhaps its most typical product is English Contract Law, developed continuously since the birth of the common law almost wholly by judicial decision. Although in its modern form primarily a product of the nineteenth century, the common law of contract as we know it developed around the action of assumpsit which evolved at the close of the fourteenth century, and many of its characteristic doctrines first emerged in the sixteenth and seventeenth centuries. This book, which takes the story up to 1677 (the date of Statute of Frauds) forms the first part of the history of contract law, and is written primarily from a doctrinal standpoint.

*The Law of Property*Oxford University Press

Rev. versions of papers originally presented at a conference held on Jan. 6-7, 1996 in Cambridge, U.K.

The authors penetrate the surface of the common law of property and lay bare its deeper structure. Ranging from the fundamentals of land law to the ownership of used toffee papers, it explains the reasons for what are often taken to be just rules. Particular attention is paid to the doctrine of estates.

Eighteenth-Century Fiction and the Law of Property

Natural Law and the Theory of Property

Discrimination Law

The Law of Property in the Later Roman Republic

Law of property

This book presents an alternative viewpoint in the ongoing dialogue on property. Dr Penner places the idea of property within the broader system of rules, rights and powers which make up the legal system.

A comprehensive account of the land law of England and Wales written without undue technicality for students new to the subject. It provides a clear overview of the subject, details key cases, and offers both a clear explanation of how the law works and insights into how property lawyers think.

This work provides a history of the main institutions of South African private law, as well as exploring the process through which the integration of English common law and continental civil law was achieved in that jurisdiction. It is a first stepping stone in the writing of the history of private law in South Africa.

Here is an introduction to the intellectual challenges presented by law in the western secular tradition. Treating not just British law, but the whole western tradition of law, Professor Honore guides the reader through eleven topics which straddle various branches of the law, including constitutional and criminal law, property, and contracts. He also explores moral and historical aspects of the law, including a discussion of justice and the difference between civil and common law systems. The law, Honore argues, is mainly concerned with the question of obedience to authority, and establishing the situations in which obedience is required and those in which it may be waived ought to be the central concern of all legal theorists.

An Introduction

Patents, Copyright, Trade Marks and Allied Rights

The Philosophical Origins of Modern Contract Doctrine

Personal Property Law

Trends in Contemporary Trust Law

A comprehensive, stimulating introduction to trusts law, which provides readers with a clear conceptual framework to aid understanding of this challenging area of the law. Aimed at readers studying trusts at an undergraduate level, it provides a succinct and enlightening account of this area of the law. Concise and clear, this book also identifies and discusses many analytical perspectives, encouraging a deeper understanding of the issues at hand. It offers an outstanding treatment of specific areas, in particular remedial constructive trusts and trusts of family homes. Ideal for providing a broad background to the issues before embarking on an in-depth study of trusts, it can also be used to help the reader to develop their understanding. For those looking to challenge themselves, detailed footnotes highlight further issues and point the direction for future reading.

Fully revised to take into account the Charities Act 2006, judicial developments through case law, and recent academic work in this area, this new edition in the renowned Clarendon Law Series offers a well-written, careful, and insightful introduction to the law of trusts.

Questions about the nature of law, its relationship with custom, and the distinctive form of legal rules, categories, and reasoning, are placed at the centre of this introduction to the anthropology of law. It brings empirical scholarship within the scope of legal philosophy, while suggesting new avenues of inquiry for the anthropologist. Going beyond the functional and instrumental aspects of law that underlie traditional ethnographic studies of order and conflict resolution, The Anthropology of Law considers contemporary debates on human rights and new forms of property, but also delves into the rich corpus of texts and codes studied by legal historians, classicists, and orientalist scholars. Studies of the great legal systems of ancient China, India, and the Islamic world, unjustly neglected by anthropologists, are examined alongside forms of law created on their peripheries. The coutumes of medieval Europe, the codes drawn up by tribal groups in Tibet and the Yemen, village laws on both sides of the Mediterranean, and the intricate codes of saga in Iceland provide rich empirical detail for the author's analysis of the cross-cultural importance of the form of law, as text or rule, and the relative marginality of its functions as an instrument of government or foundation of social order. Carefully-selected examples shed new light upon the interrelations and distinctions between law, custom, and justice. Gradually an argument unfolds concerning the tensions between legalistic thought and argument, and the ideological or aspirational claims to embody justice, morality, and religious truth which lie at the heart of what we think of as law.

This second edition of Sarah Worthington's *Equity* maintains the clear ambitions of the first. It sets out the basic principles of equity, and illustrates them by reference to commercial and domestic examples of their operation. The book comprehensively and succinctly describes the role of equity in creating and developing rights and obligations, remedies and procedures that differ in important ways from those provided by the common law itself. Worthington delivers a complete reworking of the material traditionally described as equity. In doing this, she provides a thorough examination of the fundamental principles underpinning equity's most significant incursions into the modern law of property, contract, tort, and unjust enrichment. In addition, she exposes the possibilities, and the need, for coherent substantive integration of common law and equity. Such integration she perceives as crucial to the continuing success of the modern common law legal system. This book provides an accessible and elementary exploration of equity's place in our modern legal system, whilst also tackling the most taxing and controversial questions which our dual system of law and equity raises. The second edition now includes footnote references to the leading cases in the area. Each chapter also provides a short list of key cases, and a selective biography chosen for its ability to provoke debate about the principal controversies exposed in the chapter.

These additions are designed to guide and stimulate students and practitioners in their engagement with the subject.

Civil Law and Common Law in South Africa

An Introduction to the Law of Contract

The Anthropology of Law

Land Law

Introduction to the History of the Law of Real Property