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GJ7GSY - JAYVON CHACE

The dislocations of the worldwide economic crisis, the necessity of a system of global justice to address crimes against humanity, and the notorious 'democratic deficit' of international institutions highlight the need for an innovative and truly global legal system, one that permits humanity to reorder itself according to acknowledged global needs and evolving consciousness. A new global law will constitute, by itself, a genuine legal order and will not be limited to a handful of moral principles that attempt to guide the conduct of the world's peoples. If the law of nations served the hegemonic interests of Ancient Rome, and international law served those of the European nation-state, then a new global law will contribute to the common good of all humanity and, ideally, to the development of durable world peace. This volume offers a historical-juridical foundation for the development of this new global law.

This topical and important book identifies the short to medium-term economic, financial and social consequences of Brexit. Containing perspectives from leading thinkers across legal, economic and financial fields, it considers both the general effect of UK withdrawal on the European integration process, and the specific impact on the free movement of capital, goods and people. Addressing the main areas within both the UK and the EU that can and will be affected by Brexit, including the financial sector, immigration, social rights and social security, After Brexit: Consequences for the European Union will make fascinating reading for all those currently engaged in the study and practice of Law, Economics, Finance, Political Science, Philosophy, History and International Affairs.

Helen Nagy, "Miniature Votive Altars in the Collection of the American Academy in Rome"; Gareth Schmeling, "Urbs Aeterna: Rome, a Monument of the Mind"; Susan Martin, "Transportation Issues in the City of Rome"; Anne H. Groton, "Id est quod suspicabar: Suspecting the Worst in Plautus"; Helen F. North, "Lacrimae Virginis Vestalis"; Michael C. J. Putnam, "Horace c. 3.23: Ritual and Art"; Herbert W. Benario, "Three Tacitean Women"

This English translation makes available to anglophone readers a modern classic of German tort theory. It argues that modern German tort law is faced with doctrinal tensions based on problematic theoretical assumptions which stem from historical conceptions of tortious liability, inappropriate to modern times. From a theoretical perspective, it argues against the prevalent doctrinal view in Germany that conceives of tortious liability as split between two tracks - a fault-based track and a strict liability track - each with different normative foundations. Instead, Jansen asserts that there is no rigid distinction between the normative foundations of each form of liability. Rather, both fault liability and strict liability in German law, and indeed other European systems, are best considered as resting upon the unifying theoretical structure of outcome responsibility. The book thus places responsibility rather than wrongdoing at the centre of the normative foundations of tort law. Historically, the book traces in detail how conceptions of tort liability have changed from Roman law to contemporary legal doctrine. It shows how particular historical understandings of the normative basis of tort law have led to continuing normative tensions in contemporary doctrine. Finally, the book examines how a reconstruction of modern German - and, indeed, European - law as based upon outcome responsibility should affect its doctrinal structure. This book makes contributions to the study of the theory, history, and doctrinal structure of tort law. While drawing on and explaining German tort law, its comparative, theoretical, and historical analysis will be of interest to scholars in all legal systems.

This is a study of the legal rules affecting the practice of female prostitution at Rome approximately from 200 B.C. to A.D. 250. It examines the formation and precise content of the legal norms developed for prostitution and those engaged in this profession, with close attention to their social context. McGinn's unique study explores the "fit" between the law-system and the socio-economic reality while shedding light on important questions concerning marginal groups, marriage, sexual behavior, the family, slavery, and citizen status, particularly that of women.

This 2005 examination of twelve case studies about mistake, fraud and duties to inform reveals significant differences about how contract law works in thirteen European legal systems and, despite the fact that the solutions proposed are often similar, what divergent values underlie the legal rules. Whereas some jurisdictions recognise increasing duties to inform in numerous contracts so that the destiny of mistake and fraud (classical defects of consent) may appear to be uncertain, other jurisdictions continue to refuse such duties as a general rule or fail to recognise the need to protect one of the parties where there is an imbalance in bargaining power or information. Avoiding preconceptions as to where and why these differences exist, this book first examines the historical origins and development of defects of consent, then considers the issues from a comparative and critical standpoint.

This monumental study of medieval law and sexual conduct explores the origin and develpment of the Christian church's sex law and the systems of belief upon which that law rested. Focusing on the Church's own legal system of canon law, James A. Brundage offers a comprehensive history of legal doctrines–covering the millennium from A.D. 500 to 1500–concerning a wide variety of sexual behavior, including marital sex, adultery, homosexuality, concubinage, prostitution, masturbation, and incest. His survey makes strikingly clear how the system of sexual control in a world we have half-forgotten has shaped the world in which we live today. The regulation of marriage and divorce as we know it today, together with the outlawing of bigamy and polygamy and the imposition of criminal sanctions on such activities as sodomy, fellatio, cunnilingus, and bestiality, are all based in large measure upon ideas and beliefs about sexual morality that became law in Christian Europe in the Middle Ages. "Brundage's book is consistently learned, enormously useful, and frequently entertaining. It is the best we have on the relationships between theological norms, legal principles, and sexual practice."—Peter Iver Kaufman, Church History

In this collection of essays, contributors act on John Crook's injunction to 'think like lawyers' about Roman law and Rome—and also ancient Greece, Persia, and the modern world. A literary strand runs through the book alongside its legal and historical strands.

This book gives the reader an overview of current developments in Dutch Law. The contributions are from leading academics from different universities in the Netherlands. Amongst others the following topics are covered: . Dutch family law in the 21st Century: Trend-setting and straggling behind at the same time (M. Antonkolskaia and K. Boele-Woelki) . Mediation in the Netherlands: past - present - future (A. de Roo and R. Jagtenberg) . Mandatory and non-mandatory rules in Dutch corporate law (M. Meinema) . Limits and control of competition with a view to international harmonisation (P.-J. Slot) . Rights of minority shareholders in the Netherlands (L. Timmerman and A. Doorman) . Constitution, international treaties, contracts and torts (M. van Empel and M. de Jong) . Human rights and private corporations: A Dutch legal perspective (S. van Bijsterveld) . The rights of the embryo and the foetus under Dutch law (V. Derckx and E. Hondius) . Regulating electronic commerce in the Netherlands (C. Prins)

For some Western European legal systems the principle of good faith has proved central to the development of their law of contracts, while in others it has been marginalized or even rejected. This book starts by surveying the use or neglect of good faith in these legal systems and explaining its historical origins. The central part of the book takes thirty situations which would, in some legal systems, attract the application of good faith, analyses them according to fifteen national legal systems and assesses the practical significance of both the principle of good faith and its relationship to other contractual and non-contractual doctrines and forms of regulation in each situation. The book concludes by explaining how European lawyers, whether from a civil or common law background, may need to come to terms with the principle of good faith. This was the first completed project of The Common Core of European Private Law launched at the University of Trento.

Why did the Gentile church keep Old Testament commandments about sex and idolatry, but disregard many others, like those about food or ritual purity? If there were any binding norms, what made them so, and on what basis were they articulated?In this important study, Markus Bockmuehl approaches such questions by examining the halakhic (Jewish legal) rationale behind the ethics of Jesus, Paul and the early Christians. He offers fresh and often unexpected answers based on careful biblical and historical study. His arguments have far-reaching implications not only for the study of the New Testament, but more broadly for the relationship between Christianity and Judaism.

Exploring the history of internal security under the first Roman dynasty, this book answers the enduring question: If there were nine thousand men guarding the emperor, why did Rome have the highest rate of assassination of any world empire? Sheldon concludes that the repeated problem of “killing Caesar” reflected the empire’s larger dynamics and turmoil.

Leading historians and anthropologists with an interest in law gather to analyse the nature and meaning of law in diverse societies.

Previous editions published : 2nd (2004) and 1st (2000).

A full-scale study of the political thought of the Italian jurist, Baldus de Ubaldis (1327-1400).

In Making Manslaughter, Susanne Pohl-Zucker analyses the production and application of legal categories and procedures aimed at the resolution of homicides committed during heated disputes. Parallel studies explore distinct legal practices in Württemberg and Zurich between 1376 and 1700.

Borkowski's Textbook on Roman Law provides a thorough and engaging overview of Roman private law and civil procedure. It is the ideal course companion for undergraduate Roman law courses, combining clear, comprehensible language and a wide range of supportive learning features with the most important sources of Roman law.

The entire course of modern Western history has been shaped by the rise and fall of the great European empires. The Burdens of Empire examines different aspects of this long history, focusing on how political theorists, jurists, historians and others sought to explain what an empire is and to justify its very existence.

Law and Love in Ovid challenges the view that legal language in poetry is a sign of frivolity and argues that it signals a radical return to the roots of law's creation.

Comprising an array of distinguished contributors, this pioneering volume of original contributions explores theoretical and empirical issues in comparative law. The innovative, interpretive approach found here combines explorative scholarship and research with thoughtful, qualitative critiques of the field. The book promotes a deeper appreciation of classical theories and offers new ways to reorient the study of legal transplants and transnational codes. Methods of Comparative Law brings to bear new thinking on topics including: the mutual relationship between space and law; the plot that structures legal narratives, identities and judicial interpretations; a strategic approach to legal decision making; and the inner potentialities of the 'comparative law and economics' approach to the field. Together, the contributors reassess the scientific understanding of comparative methodologies in the field of law in order to provide both critical insights into the traditional literature and an original overview of the most recent and purposive trends. A welcome addition to the lively field of comparative law, Methods of Comparative Law will appeal to students and scholars of law, comparative law and economics. Judges and practitioners will also find much of interest here.

The North-West Semitic epigraphic contributes considerably to our understanding of the Old Testa-

ment and of the Ugaritic texts and to our knowledge of the North-West Semitic languages as such. This dictionary is concerned with the North-West Semitic material found in inscriptions, papyri and ostraca in Phoenician, Punic, Hebrew, various forms of Aramaic, Ammonite, Edomite, the language of Deir Alla et cetera. The material covers the period from ca. 1000 B.C. to ca. 300 A.D. Besides translations the entries include discussions and full references to scholarly literature. The book is a translated, updated and considerably augmented edition of Jean & Hoftijzer, "Dictionnaire des inscriptions semitiques de l'ouest," The additions concern newly found texts as well as references to new scholarly literature. The book is an indispensable tool for research in North-West Semitic epigraphy, on the Old Testament and on Ugaritic texts, and for Semitic linguistics.

This volume contains Birks' notes on a series of lectures on the Roman law of obligations delivered in 1982. They give a comprehensive insight into his views on the topic, which are relevant in both a Roman context and also from a modern English perspective. The book examines, in turn, the law of contracts with its general principles and rule applications to the transactions mentioned in the Institutes; the law of delicts; and finally the miscellany of residual obligations from which the later categories of quasi-contracts and quasi-delicts, but also the modern law of unjust enrichment, emerged.

Dealing specifically with the Roman roots of the civilian tradition, this book confines itself to the traditional core areas of the law of obligations and its subject matter is purely the substantive private law.

Borkowski's Textbook on Roman Law provides a clear and concise overview of Roman private law and civil procedure, supported by numerous extracts in translation from the Digest and Institutes. The book has been written with undergraduate students in mind and covers all key areas commonly taught on Roman law courses at undergraduate level.

Ars Docendi et Scribendi: Essays in honour of Johan Scott Edited by the Faculty of Law, University of Pretoria ISBN: 978-1-920538-76-7 Pages: 243 Print version: Available Electronic version: Free PDF available About the publication "Festschrift" - a collection of articles by the colleagues, former students, etc. of a noted scholar, published in his or her honour. During his travels abroad Johan Scott built up a wide network of international scholars who over time became a valued circle of friends, many of whom spent enriching moments in his company and who contributed to this Festschrift. Contributors were requested to write in their home language, and furthermore to submit their contributions for publication in other journals worldwide, specifically accrediting this Festschrift in order to expand access worldwide to the wonderful contributions written in honour of our colleague. Great scholars like Johan never retire. They might go fishing more than they could in the past, but his calling of being a true teacher will never fade. Scholars like Johan understand that the present and the future are inevitably linked to the past, and although education depends on talent and performance, it should always serve to build character and a vision for future generations. Table of Contents Dedication Acknowledgments Publications of Johan Scott Essays Sessie en subrogasie Susan Scott Revisiting the maxim imperitia culpae adnumeratur in context of medical negligence – can the maxim be extended to include the application of luxuria? Pieter Carstens The Omissions in Oppelt Duard Kleyn & Emile Zitzke Skeepshouer-geboue – roerend of onroerend? I Knobel Wrongfulness: derailed or on track? Johann Knobel Fremdsprachige Rechtsbegriffe und Auslegung von internationalen Verträgen Gabriele Koziol Die actio de deiectis vel effusis in Südafrika und Österreich Helmut Koziol, Wien/Graz Die regsrelevansie van owerspel: quo vadis? Johann Neethling & Johan Potgieter Die impak van die Nasionale Kredietwet op die Sakereg en Saaklike Sekerheid JM Otto How the European Court of Human Rights changed the life of surrogacy children Prof Dr Walter Pintens De Nederlandse Natuurschoonwet: voorbeeld voor Zuid-Afrika? Prof Sebastiaan Roes Borgstelling, saaklike sekerheidsregte én die verpligtinge van ’n medehoofskuldenaar – ’n werklik merkwaardige uitspraak JC Sonnekus The Hopeless Case of Climate Change: Can we still keep the floodgates shut? Jaap Spier & Daniël Witte Die Consumer Protection Act: Laaste spyker in voetstootsbedinge se doodskis? Philip N Stoop Protection of trust beneficiaries through the application of basic trust principles Anton van der Linde Taming the chimera: The treatment of “wrongfulness” in South African delict scholarship Daniel Visser Enkele aspekte rakende ’n retensiereg en ’n verhuurder se stilswyende hipoteek Dr M Wiese Personal tributes André Boraine Christof Heyns Aeenna Malan Chris Pretorius Neil van Schalkwyk Caroline Van Schoubroeck Bibliography

An essential collection of Raymond Westbrook’s groundbreaking work on the cross-cultural history of ancient law. Throughout the twelve essays that appear in Ex Oriente Lex, Raymond Westbrook convincingly argues that the influence of Mesopotamian legal traditions and thought did not stop at the shores of the Mediterranean, but rather had a profound impact on the early laws and legal developments of Greece and Rome as well. He presents readers with tantalizing fragments of early Greek or archaic Roman law which, when placed in the context of the broader Near Eastern tradition, suddenly acquire unexpected new meanings. Before his untimely death in July 2009, Westbrook was regarded as one of the world’s leading authorities on ancient legal history. Although his main field was ancient Near Eastern law, he also made important contributions to the study of early Greek and Roman law. In his examination of the relationship between ancient Near Eastern and pre-classical Greek and Roman law, Westbrook sought to demonstrate that the connection between the two legal spheres was not merely theoretical but also concrete. The Near Eastern legal heritage had practical consequences that help us understand puzzling individual cases in the Greek and Roman traditions. His essays provide rich material for further reflection and interdisciplinary discussion about compelling similarities between legal cultures and the continuity of legal traditions over several millennia. Aimed at classicists and ancient historians, as well as biblicists, Egyptologists, Assyriologists, and legal historians, this volume gathers many of Westbrook’s most important essays on the legal aspects of Near Eastern cultural influences on the Greco-Roman world, including one new, never-before-published piece. A preface by editors Deborah Lyons and Kurt Raaflaub details the importance of Westbrook’s work for the field of classics, while Sophie Démare-Lafont’s incisive introduction places Westbrook’s ideas within the wider context of ancient law.

Explores a fundamental building block of Roman life

The 'school controversies' between the Sabinians and the Proculians continue to be the focus of debate in Roman law. The present volume attempts to determine what gave rise to these controversies by associating them with legal practice and the use of topic-related argumentation.

The delict of iniuria is among the most sophisticated products of the Roman legal tradition. The original focus of the delict was assault, although iniuria-literally a wrong or unlawful act-indicated a very wide potential scope. Yet it quickly grew to include sexual harassment and defamation, and by the first century CE it had been re-oriented around the concept of contumelia so as to incorporate a range of new wrongs, including insult and invasion of privacy. In truth, it now comprised all attacks on personality. It is the Roman delict of iniuria which forms the foundation of both the South African and-more controversially-Scots laws of injuries to personality. On the other hand, iniuria is a concept formally alien to English law. But as its title suggests, this book of essays is representative of a species of legal scholarship best described as 'oxymoronic comparative law', employing a concept peculiar to one legal tradition in order to interrogate another where, apparently, it does not belong. Addressing a series of doctrinal puzzles within the law of assault, defamation and breach of privacy, it considers in what respects the Roman delict of iniuria overlaps with its modern counterparts in England, Scotland and South Africa; the differences and similarities between the analytical frameworks employed in the ancient and modern law; and the degree to which the Roman proto-delict points the way to future developments in each of these three legal systems.

Over the past half century The Cambridge Ancient History has established itself as a definitive work of reference. The original edition was published in twelve text volumes between 1924 and 1939. Publication of the new edition began in 1970. Every volume of the old edition has been totally re-thought and re-written with new text, maps, illustrations and bibliographies. Some volumes have had to be expanded into two or more parts and the series has been extended by two extra volumes (XIII and XIV) to cover events up to AD 600, bringing the total number of volumes in the set to fourteen. Existing plates to the volumes are available separately. *Profusely illustrated with maps, drawings and tables. *Comprehensive coverage of all aspects of the history of the ancient Mediterranean and Near East from prehistoric times to AD 600 by an international cast of editors and contributors.

This is the first systematic treatment in English by an historian of the nature, aims and efficacy of public law in late imperial Roman society from the third to the fifth century AD. Adopting an interdisciplinary approach, and using the writings of lawyers and legal anthropologists, as well as those of historians, the book offers new interpretations of central questions: What was the law of late antiquity? How efficacious was late Roman law? What were contemporary attitudes to pain, and the function of punishment? Was the judicial system corrupt? How were disputes settled? Law is analysed as an evolving discipline, within a framework of principles by which even the emperor was bound. While law, through its language, was an expression of imperial power, it was also a means of communication between emperor and subject, and was used by citizens, poor as well as rich, to serve their own ends.

The recent financial crisis has questioned whether existing contracts may be adapted, terminated or renegotiated as a result of unexpected circumstances. The question is not a new one. In medieval times the notion of clausula rebus sic stantibus was developed to cope with such situations, and Germany introduced the theory of Wegfall der Geschäftsgrundlage. In England, the Coronation cases provided one possible answer. This comparative study explores the possibility of classifying jurisdictions as 'open' or 'closed' in this regard.

Volume one, Stoicism in classical Latin literature (09327-3), approaches its subject from the standpoint of intellectual history, examining how Stoicism was used by Roman thinkers, for what purposes, and how they correlated it with their other sources. Volume two, Stoicism in Christian Latin thought through the sixth century, (09328-1), focuses on how a particular Latin Christian author used Stoic ideas, to what ends, and how they were associated in his mind with the other doctrines he had to work with. Annotation copyrighted by Book News, Inc., Portland, OR

This book reflects the wide range of current scholarship on Roman law, covering private, criminal and public law.

The Historical Foundations of Grotius’ Analysis of Delict explores the origins of the generalised model of liability for wrongdoing presented in the writings of Grotius, analysing the extent to which earlier civilian and theological doctrines shaped his views.

This accessible, readable book looks at the cultural study of the Bible, challenging the traditional mode of reading the women in the Bible. Alice Bach applies literary theory, cultural representations of biblical figures, films, and paintings to a close reading of a group of biblical texts revolving around the 'wicked' literary figures in the Bible. She compares the biblical character of the wife of Potiphar with the Second Temple Period narratives and rabbinic midrashim that expand her story. She then reads Bathsheba against a Yiddish novel by David Pinski, and finally looks at the Biblical Salome against a very different Salome created by Oscar Wilde, and the selection of Salomes created by Hollywood. Bach argues that biblical characters have a life in the mind of the reader independent of the stories in which they were created, thus making the reader the site at which the texts and the cultures that produced them come together.