Record Nr. UNINA9910784264203321 Autore Rotherham Craig Titolo Proprietary remedies in context: a study in the judicial redistribution of property rights / / Craig Rotherham Oxford;; Portland, Oregon:,: Hart Publishing,, 2002 Pubbl/distr/stampa **ISBN** 1-4742-0045-1 1-280-80845-4 9786610808458 1-84731-105-9 Edizione [1st ed.] Descrizione fisica 1 online resource (384 p.) 344.4104233 Disciplina Soggetti Right of property - England Judicial discretion - England Right of property Judicial discretion Lingua di pubblicazione Inglese Materiale a stampa **Formato** Livello bibliografico Monografia Description based upon print version of record. Note generali Nota di bibliografia Includes bibliographical references (pages [xv]) and index. Preliminaries: Contents: Frequently Cited Works: Table of Cases: Nota di contenuto Introduction: 1 From Remedy to Property the Development of the Trust: 2 Redistribution and Property Rites; 3 The Legacy of Legal Realism Instrumentalist Approaches to Property; 4 The Normative Foundations of Proprietary Claims and Remedies; 5 The Metaphysics of Tracing Substituted Title and Property Rhetoric; 6 The Proprietary Consequences of a Vitiated Intention to Transfer Property An Intolerable Reproach to Our System of Jurisprudence: 7 Qualified Consent to Transfer Property The Mysterious Basis of the Quistclose Trust 8 Obligation into Ownership Constructive Trusts and Liens in Arrangements to Assign Property9 Proprietary Relief for Enrichment by

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Sommario/riassunto	This book examines redistributive processes such as tracing, subrogation and proprietary estoppel and the use of the constructive trust in the context of contracts to assign property, vitiated transactions, the profits of wrongdoing and the breakdown of intimate relationships.