Record Nr. UNINA9910823619703321 Law & equity: approaches in Roman law and common law / / edited by **Titolo** E. Koops & W.J. Zwalve Pubbl/distr/stampa Leiden:,: Brill,, 2014 **ISBN** 90-04-26220-2 Descrizione fisica 1 online resource (229 p.) Collana Legal history library;; volume 10 Legal history library. Studies in the history of private law, , 1874-1793; ; volume 5 Altri autori (Persone) KoopsE (Egbert) ZwalveWillem Jans Disciplina 346.42/004 Soggetti Equity - Great Britain - History Equity (Roman law) Common law - History Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Includes index. Note generali Includes bibliographical references and indexes. Nota di bibliografia Nota di contenuto part one. Introduction -- part two. External historical aspects -- part three. Substantive aspects. Quite by accident, Roman law and English law share a peculiar dual Sommario/riassunto structure. In both systems, the law (ius civile, Common law) was supported, amended and corrected by a second legal source (ius honorarium, Equity) found in the jurisdiction of particular magistrates. How did this dual structure come into being in Rome and England, and how did it influence legal developments? In Law andamp; Equity: Approaches in Roman law and Common law, seven specialists explore the origins and consequences of this interaction. The history of equity and law is treated by Willem Zwalve, Paul Brand, David Ibbetson and Mike Macnair, while John Cartwright, Hendrik Verhagen, Frits Brandsma and Willem Zwalve offer a comparative legal history on issues of

substantive law.