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does private law punish this collection answers this complex but compelling question
 lawyers from across the spectrum of the law contract tort restitution explore exactly
 how it punishes wrong doing these leading voices ask whether that punishment is
 effective and what its societal role might be taking the discussion out of the technical
 and into a broader realms of a wider purpose it is both compelling and thought
 provoking

this the only book in print to focus on liquidated damages and penalty clauses
 analyses the common law jurisdiction to control stipulated damages clauses and the
 distinction between enforceable liquidated damages clauses and unenforceable
 penalty clauses the first part examines the historical origin of the control of these
 clauses the second describes the current control of such clauses and their legal effect
 the third critically examines the various rationales that have been proposed to justify
 their regulation and the final part describes analogous provisions and how to avoid
 drafting contractual clauses that are rendered unenforceable by the penalty rule the
 book examines approaches in several common law jurisdictions in addition to england
 and wales including the united states australia new zealand and canada and brings
 together principles developed in distinct commercial law contexts such as shipping
 contracts to enable comparison between particular contractual settings

this is the first book to offer a systematic and analytical overview of the legal
 framework for residential construction in doing so the book addresses two
 fundamental questions prevention what assurances can the law give buyers and later
 owners and occupiers of homes that construction work from building of a complete
 home to adding an extension or replacing a shower unit will comply with minimum
 standards of design safety and build quality cure what forms of redress from whom
 and by what route can residents expect when often long after completion of
 construction they discover defects the resulting problems pose some big and difficult
 questions of principle and policy about standards rights and remedies which in turn
 concern justice more generally this book addresses these key issues in a comparative
 context across the united kingdom ireland australia and new zealand it is an accessible
 guide to the existing law for residents and construction professionals and their legal
 advisers but also charts a course to further meaningful reforms of the legal landscape
 for residential construction around the world the book s two co authors philip britton
 and matthew bell have taught in the field in the uk australia and new zealand both
 have been active in legal practice as have the book s two specialist contributors
 deirdre ní fhloinn and kim vernau

private law regulates life this is self evident but how does it regulate death this edited

collection explores this question life and death are the beginning and end of the legal person the instigator and terminator of rights interests and obligations they are also the nominal separator of particular fields of law medical law from succession law for example as such they act as fault lines that can test the limit of private law principles and norms this book explores what life and death tell us about private law and what private law can tell us about the meaning and value of life and death

contracts for infrastructure projects an international guide provides a guide to the law relating to construction contracts for infrastructure projects it is intended for the use of engineers and other professionals who are involved in the negotiation and administration of construction contracts to enable them to understand the risks involved and how to minimise them the principles of construction law outlined in this book apply to small construction contracts as well as very large contracts for which the contract sum may be in the billions of dollars the focus of the book is on construction contracts entered into by commercial organisations operating in a business environment contract law generally assumes that such parties are of equal bargaining power and puts relatively few fetters on their ability to agree on the terms of their bargain however where legislation impacts on the execution of construction projects or the operation of construction contracts it may be of major importance in protecting the rights of weaker parties or third parties it is assumed that the users of this book will be familiar with the general concepts of tendering and contracting for engineering and construction projects but may not have any formal knowledge of the law to the extent possible the emphasis is on general principles of contract law that are widely accepted in many jurisdictions examples are drawn from case law in a number of common law jurisdictions as well as from civil codes

derived from the renowned multi volume international encyclopaedia of laws this practical analysis of the law of contracts in new zealand covers every aspect of the subject definition and classification of contracts contractual liability relation to the law of property good faith burden of proof defects penalty clauses arbitration clauses remedies in case of non performance damages power of attorney and much more lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology application and procedure from one legal system to another as well as the international aspects of contract law throughout the book the treatment emphasizes drafting considerations an introduction in which contracts are defined and contrasted to torts quasi contracts and property is followed by a discussion of the concepts of consideration or cause and other underlying principles of the formation of contract subsequent chapters cover the doctrines of relative effect termination of contract and remedies for non performance the second part of the book recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it describes the nature of agency sale lease building contracts and other types of contract facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for business and legal professionals alike lawyers representing parties with interests in new zealand will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative contract law

jc smith s the law of contract provides a superb overview of all the key areas of contract law making this book ideal for use on all undergraduate courses a focus on

key cases acts a springboard into analysis and critical discussion enabling students to really understand the fundamentals of the subject

this book examines how the most commonly used construction project contracts are applied in a range of countries around the world the specific situation of each of the almost 40 countries studied is dealt with in a dedicated chapter allowing for easy comparison between differing legal and commercial environments each chapter contextualizes the relevant contracts within the legal and commercial systems prevalent in a particular country and examines a number of common issues impacting construction projects around the world this unique book will be an essential resource for construction law specialists around the world because of its focus on commonly used contracts and the contextualizing of these contracts into the legal and commercial environment of each studied country all contributions are from practicing construction project lawyers ensuring that the quality of the information and analysis is of the highest standard

it is a peculiarity of cambridge that in one of the principal streets trumpington street there is a runnel of fresh water named hobson s conduit first published in 1938 this history of hobson s urban watercourse was written by w d bushell of the hobson s conduit trust

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kann s latest tour de force explores the ambivalence during the founding of our nation about whether political freedom should augur sexual freedom tracing the roots of patriarchal sexual repression back to revolutionary america kann asks highly contemporary questions about the boundaries between public and private life suggesting provocatively that political and sexual freedom should go hand in hand ben agger university of texas at arlington the american revolution was fought in the name of liberty in popular imagination the revolution stands for the triumph of populism and the death of patriarchal elites but this is not the case argues mark e kann rather in the aftermath of the revolution america developed a society and system of laws that kept patriarchal authority alive and well especially when it came to the sex lives of citizens in taming passion for the public good kann contends that that despite the rhetoric of classical liberalism the founding generation did not trust ordinary citizens with extensive liberty under the guise of paternalism they were able simultaneously to retain social control while espousing liberal principles with the goal of ultimately molding the country into the new american ideal a moral and orderly citizenry that voluntarily did what was best for the public good mark e kann professor emeritus of political science and history held the usc associates chair in social science at the university of southern california he is the author of republic of men nyu press 1998 and punishment prisons and patriarchy nyu press 2005

wes britton s spy television 2004 was an overview of espionage on the small screen from 1951 to 2002 his beyond bond spies in fiction and film 2004 wove spy literature movies radio comics and other popular media together with what the public knew about actual espionage to show the interrelationships between genres and approaches in the past century onscreen and undercover the last book in britton s spy trilogy provides a history of spies on the large screen with an emphasis on the stories these films present since the days of the silent documentary short spying has been a staple of the movie business it has been the subject of thrillers melodramas political films romances and endless parodies as well but despite the developing mistrust of

the spy as a figure of hope and good works the variable relationship between real spying and screen spying over the past 100 years sheds light on how we live what we fear who we admire and what we want our culture and our world to become onscreen and undercover describes now forgotten trends traces surprising themes and spotlights the major contributions of directors actors and other american and english artists the focus is on movies on and off camera in a 1989 national public radio interview famed author john le carre said a spy must be entertaining spies have to interest potential sources and be able to draw people in to succeed in recruiting informants in that spirit wes britton now offers onscreen and undercover

provides a comprehensive introduction to the principles of the scots law of contract and provides the reader with a clear analysis of this difficult area of the law this practical text illustrates the different types of contractual situations and examines the formation performance and enforcement of contracts includes examples of typical contract clauses and treats remedies in detail is set in a comparative context and discusses the problems of cross border and international contracts explains the underlying principles of contract law is written in a clear well structured style and uses diagrams to illustrate complex situations the fifth edition covers key supreme court cases including cavendish square holding bv v tala el makdessi and parkingeye limited v beavis regarding penalty clauses it also includes a new chapter on capacity to make a contract ie who can make a contract this title is included in bloomsbury professional s scottish law and scots law student online services

the material life of roman slaves retrieves and represents the physical environment and lives of roman slaves

the nineteenth century was europe s colonial century at the beginning of the period the only colonial empire that existed was the british empire by the end of the century the situation was completely different and europe s colonial possessions had come to constitute a large part of the world the french had acquired an immense colonial empire and the dutch had extended their control over indonesia germany and italy unified only in the latter half of the century had claimed their place under the sun even the tiny kingdom of belgium had acquired a huge colonial territory in africa the belgian congo this is the first book to describe the whole process of colonization from conquest to pacification and to analyze it in the light of administrative cultural and economic developments the european colonial empires discusses a uniquely long period instead of merely focussing on the shorter accepted age of classical imperialism wesseling argues that european colonial expansion can be understood only by putting it into this long term perspective and by comparing the differences between the colonies in africa asia oceania and the caribbean this book redresses the balance that privileges the british colonial and imperial experience it emphasizes the continental european experience while relating developments to the british enterprise

proceedings of a workshop on reef fishery management held october 7 10 1980 at st thomas virgin islands of the united states

this book is an investigation into the economic policy formulation and practice of neoliberalism in britain from the 1950s through to the financial crisis and economic downturn that began in 2007 8 it demonstrates that influential economists such as f a hayek and milton friedman authors at key british think tanks such as the institute of economic affairs and the centre for policy studies and important political figures of the thatcher and new labour governments shared a similar conception of the consumer for

neoliberals the idea that consumers were weak in the face of businesses and large corporations was almost offensive instead consumers were imagined to be sovereign agents in the economy whose consumption decisions played a central role in the construction of their human capital and in the enabling of their aspirations consumption just like production came to be viewed as an enterprising and entrepreneurial activity consequently from the early 1980s until the present day it was felt necessary that banks should have the freedom to meet the borrowing needs of consumers credit rationing would be a thing of the past just like businesses consumers and households could use debt to expand their stock of personal assets by utilizing the method of french philosopher michel foucault this book provides an original analysis of the policy ideas and political speeches of key figures in the new right in government and at the bank of england and it addresses the key question as to why policy makers both in britain and the united states did little or nothing to stem rising consumer and household indebtedness instead always choosing to see increasing house prices and homeownership as a positive to be encouraged

butterflyfishes of the family chaetodontidae are conspicuous members of almost all tropical reefs these colorful fishes have attracted a great deal of attention from both the scientific community and especially the aquarium fish industry at first one is tempted to say that butterflyfishes are abundant worldwide but the evidence does not support this statement the biomass of chaetodontids on reefs may range from 0.02 to 0.80 and in terms of numbers they comprise only 0.04 to 0.61 of the individuals on the reef yet in spite of these relatively small numbers they have been extensively studied a quick census shows some 170 articles on or about butterfly fishes with 78 of them being published since the 1970s along with the cichlids and damselfishes they might be one of the most studied and well published family of tropical fishes why then have chaetodontids attracted so much attention the butterflyfishes are mostly shallow water inhabitants that are approachable and easily recognizable making their study very feasible their bright coloration has provoked many hypotheses but has posed more questions about coloration than it has provided answers and despite their apparent overall morphological similarity their highly structured and varied social systems have made them an ideal model for such studies the reasons for choosing these organisms are indeed as diverse as the studies themselves

the potential consequences of a predator-prey interaction are probably more serious especially capture and that prey tend to do to avoid being for the prey than are the consequences of most captured the second theme emphasized the eco-competitive or parasite-host interactions for this logical approach to predator-prey interactions reason the adaptations and tactics that prey show what are the environmental constraints that in to the foraging manoeuvres of their predators and influence the evolution of structures and behaviors the counteradaptations of their predators are often involved in predation and its avoidance how do pronounced and even spectacular predation may in these factors combine to produce particular fitnesses fact be a critical determinant of both the behavioral strategies of predators and prey with common adaptations of individuals and of the functional and taxonomic groups the 18 papers presented at the symposium composition of fish assemblages this possibility and the ones published in these proceedings were a major factor leading to the organization of present the varied approaches that researchers have the behavioral tactics symposium the obvious taken in addressing these questions necessity of feeding the wealth of information several topics were common to many presentations available on food and energy budgets of animals four of these in particular deserve at least both in the laboratory and field and the approach

brief mention

a major new history of the royal navy during the tumultuous age of revolution the french revolutionary wars catapulted britain into a conflict against a new enemy republican france britain relied on the royal navy to protect its shores and empire but as radical ideas about rights and liberty spread across the globe it could not prevent the spirit of revolution from reaching its ships in this insightful history james davey tells the story of britain s royal navy across the turbulent 1790s as resistance and rebellion swept through the fleets the navy itself became a political battleground this was a conflict fought for principles as well as power sailors organized riots strikes petitions and mutinies to achieve their goals these shocking events dominated public discussion prompting cynical and sometimes brutal responses from the government tempest uncovers the voices of ordinary sailors to shed new light on britain s war with france as the age of revolution played out at every level of society

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